



competition commission
south africa

The Competition Commission

Final 2026-2027
Annual Performance Plan

A competitive, dynamic, deconcentrated and inclusive economy

Executive Authority Statement



Honourable Mr Parks Tau
Minister of Trade Industry &
Competition

South Africa stands at a pivotal moment in its economic trajectory. As we advance the priorities of the 7th Administration and implement the Medium-Term Development Plan (MTDP), our collective task is to accelerate inclusive economic growth, create sustainable jobs, reduce poverty and the cost of living and build a capable, ethical and developmental state. These objectives are anchored in the long-term vision of the National Development Plan (NDP) Vision 2030, which calls for a dynamic, competitive and transformed economy that works for all South Africans.

Within this broader national vision, the Competition Commission (the Commission) occupies a critical and strategic role. Competitive, well-functioning markets are the foundation upon which investment, innovation and industrialisation are built. They enable businesses, both large and small, to thrive, ensure that consumers benefit from fair prices and quality choices, and to create the conditions necessary for sustained economic growth.

This 2026/27 Annual Performance Plan (APP) reflects the Commission's continued alignment with government's strategic priorities and its commitment to advancing a pro-growth, pro-investment and inclusive economic agenda. It demonstrates how competition policy, when effectively implemented, can be a powerful instrument for economic transformation and development.

As government, we have identified key constraints to growth, including high levels of market concentration, barriers to entry for small and medium enterprises (SMEs), elevated costs of doing business, and structural inefficiencies in key sectors. Addressing these challenges is essential if South Africa is to attract higher levels of domestic and foreign investment and unlock the full potential of its economy. The Commission's work directly contributes to overcoming these constraints.

Through its enforcement against anti-competitive conduct, its merger regulation, and its market inquiries, the Commission is actively working to open up markets, reduce barriers to entry, and ensure that economic opportunities are more widely shared. This is particularly important in enabling SMEs and firms owned by historically disadvantaged persons (HDPs) to participate meaningfully in the economy.

After all, a competitive economy is an attractive economy. Investors, both local and international, seek environments where markets are transparent, rules are applied fairly, and innovation is rewarded. By regulating competition, the Commission helps to build precisely such an environment. Its efforts to improve the efficiency and responsiveness of regulatory processes, including reducing turnaround times in merger assessments and enhancing procedural certainty, are key to improving the ease of doing business in South Africa.

In this regard, the Commission's focus on agility, responsiveness and regulatory efficiency is especially important. Reducing unnecessary regulatory burdens, while maintaining robust oversight, will help ensure that investment decisions are not delayed and that businesses can operate with greater certainty. This contributes directly to our broader investment promotion objectives and supports the MTDP's emphasis on creating a conducive business environment.

Equally important is the Commission's role in addressing the high cost of living. By tackling anti-competitive practices in key sectors such as food, healthcare, retail and digital markets, the Commission helps to ensure that markets deliver fair and competitive prices. This has a direct and meaningful impact on households, particularly low-income consumers, and supports government's commitment to improving the welfare of all South Africans.

The Commission's work also supports our national industrial policy (NIP), which is centred on reindustrialisation, localisation, and export growth. A pro-competitive industrial strategy is essential to building globally competitive industries that can sustain growth over the long-term. By addressing market concentration and promoting fair competition, the Commission ensures that industrial policy interventions lead to dynamic and efficient markets, rather than entrenching inefficiencies.

Furthermore, the Commission's contribution extends beyond our national borders. As South Africa deepens its participation in the African Continental Free Trade Area (AfCFTA), the importance of effective competition regulation becomes even more pronounced. The Commission's role in supporting the implementation of the AfCFTA competition protocol will help to ensure that regional markets remain open, fair and conducive to trade and investment.

The 2026/27 APP also reflects a forward-looking approach, recognising the growing importance of the digital economy and the need for competition authorities to adapt to rapidly evolving market dynamics. Through its

market inquiries, the Commission has already proven its ability to promote inclusion and competitiveness in South Africa's digital markets. By strengthening its internal capabilities in data analysis, digital market oversight, and proactive enforcement, the Commission is positioning itself to respond effectively to emerging challenges and opportunities posed by digital evolution within the agency.

As I have emphasised in various engagements, economic growth and transformation are not mutually exclusive objectives, they are mutually reinforcing. A more inclusive economy, in which more firms and individuals can participate, is a more dynamic and resilient economy. Competition policy is central to achieving this balance, ensuring that growth is broad-based and that its benefits are widely shared.

I am confident that the Commission, through the implementation of this APP will continue to make a meaningful contribution to South Africa's economic development. Its work will help to foster a business environment that is competitive, fair and investment-friendly, while advancing the broader goals of transformation and inclusion.

As the Executive Authority, as I endorse this 2026/27 APP, I would like to commend the Competition Commissioner, Ms Doris Tshepe, and her team for their dedication and professionalism, and for their ongoing commitment to serving the people of South Africa.

Signature:  _____

Mr Parks Tau, MP

Minister of Trade, Industry and Competition

Date: 14/04/2026

Deputy Minister Statement



Mr Zuko Godlimpi
Deputy Minister of Trade Industry &
Competition

The 7th Administration is committed to advancing inclusive economic growth, fostering job creation, reducing poverty, and establishing a capable, ethical, and developmental state. Given the slow economic growth and rising unemployment, particularly among youth, there is an urgent need for accelerated and inclusive economic growth.

Industrial policy and industrialisation are essential for driving inclusive economic growth, which will facilitate increased production, localization, innovation, transformation, sustainable and dignified employment. The Department of Trade, Industry and Competition (the dtic) has been actively advancing reindustrialisation, targeting key strategic sectors, with the aim of promoting investments, economic growth and transformation.

For this economy to function effectively, and achieve both transformation and inclusive growth, it is essential to create a supportive environment. High market concentration and persistent barriers to entry prevent many small and medium-sized enterprises (SMEs) and businesses owned by historically disadvantaged individuals (HDPs) from fully participating in the market. Addressing these challenges is essential for building an inclusive economy that benefits all its citizens.

The Commission plays an essential role in supporting the national objectives by ensuring that markets remain competitive, fair, and accessible to all economic participants, particularly SMEs and firms owned by HDPs. The Competition Act empowers the Commission to intervene in sectors with high concentration, to remove market and regulatory barriers to entry in order to achieve an efficient, competitive economic environment that will benefit all South Africans.

By tackling market concentration, reducing anti-competitive practices, removing barriers to entry, the Commission can significantly contribute to re-industrialisation and the priorities of the 7th Administration. Undertaking market inquiries and proactive enforcement in critical sectors, together with merger regulation

and advocacy as tools for economic transformation will be key in contributing to transformation and economic growth objectives.

The Commission's 2026/27 APP clearly outlines how it intends to achieve its strategic outcomes. This approach is essential for ensuring that the Commission delivers impactful benefits to South Africans. Key focus areas identified include enhancing competition in priority sectors, facilitating greater market participation by SMEs and HDPs, and addressing market and regulatory barriers that limit economic transformation.

The Commission should maintain close collaboration with government departments, regulators, and industry stakeholders. Effectiveness of competition policy requires a coordinated and forward-looking approach, including cooperation across multiple sectors. By enhancing collaborations, particularly those within the dtic will foster joint efforts towards achieving economic growth and transformation. Entities within the dtic plays a crucial role in ensuring a fair, transparent, and inclusive economy. Alignment and collaboration amongst these entities will enhance regulatory efficiency, drive economic transformation, investment promotion and ensure that markets operate effectively.

The Commission has demonstrated that it is thriving in the dynamic digital landscape, through the successful completion of market inquiries in various digital markets. The Commission recognises the importance of the digital economy and remains at the forefront of addressing competition challenges within this sector, hence identifying digital markets as one of its priority focus.

There has been great progress with respect to the AfCFTA, including the Competition Policy Protocol. This provides for greater opportunity to trade locally produced goods and services within the region. The Commission is expected to play a key role in enforcing the Competition Protocol, in collaboration with other regional competition authorities. Strengthening collaboration with regional competition authorities will contribute to a smooth implementation of the trade agreements, which would benefit local businesses.

I would like to commend the leadership and staff of the Commission for their commitment to upholding competition policy, promoting broader market participation and addressing both market and regulatory barriers that limit economic transformation. The dtic remains dedicated to providing ongoing support to the Commission.

Signature:  _____

Mr Zuko Godlimpi, MP
Deputy Minister of Trade, Industry and Competition

Date: _____

Deputy Minister Statement



Alexandra Lilian Amelia Abrahams
Deputy Minister of Trade Industry &
Competition

The 2026/27 APP of the Commission is presented at a time when South Africa's economic trajectory demands sharper institutional focus, greater policy coherence, and measurable impact. As the Commission enters the second year of its 2025–2030 Strategy, its work must be assessed not only against its statutory mandate, but against its contribution to a more competitive, open, and opportunity-driven economy.

South Africa continues to confront a set of structural constraints: low growth, high levels of concentration, barriers to entry for small and emerging firms, and a persistent cost-of-living crisis affecting households. In this context, competition policy serves as both a regulatory and a central economic instrument. The Commission's mandate to address anti-competitive conduct, facilitate market entry, and promote fair pricing is directly linked to unlocking growth, improving consumer welfare, and enabling broader participation in the economy.

This APP reflects a clear alignment with the priorities of the 7th Administration, including inclusive growth, job creation, and building a capable and ethical state. It appropriately identifies priority sectors such as food, healthcare, digital markets, retail, and industrial value chains, where competition interventions can have the greatest impact on both economic dynamism and the lived experience of South Africans. This focus on high-impact sectors is both necessary and welcome.

However, from a governance and policy perspective, the test going forward is implementation discipline. A capable state is defined by the efficiency, predictability, and credibility with which institutions execute their mandates. In this regard, the Commission's emphasis on improving turnaround times in merger regulation, strengthening enforcement against cartels and abuse of dominance, and enhancing its data and digital capabilities is particularly important. These operational improvements will form the foundation to restoring business confidence and lowering the cost of doing business.

Equally, there is a need to ensure that competition policy remains pro-growth and not inadvertently burdensome. Regulatory certainty, proportionality in intervention, and a clear distinction between pro-competitive localisation and protectionism must guide the Commission's approach. The objective must be to create markets that are both fair and globally competitive, where firms succeed on the basis of innovation, efficiency, and quality rather than regulatory insulation.

The Commission's role in supporting industrial policy, particularly through addressing concentration and enabling greater participation by SMEs and HPDs, is well articulated in this APP. The link between competition, industrialisation, and investment is critical. A more competitive economy is a precondition for scaling domestic production, deepening value chains, and positioning South Africa in regional and global markets.

Furthermore, the growing importance of digital markets and data-driven economies introduces new complexities for competition regulation. The Commission's recognition of these dynamics, and its intention to strengthen its capability in this domain, is both timely and necessary. Ensuring that digital markets remain open, innovative, and accessible to local entrants will be a defining challenge over the medium term.

Competition policy does not operate in isolation. Its impact is amplified when aligned with broader reforms in energy, logistics, infrastructure, and regulatory simplification. The Commission must therefore continue to work closely within the economic cluster and across government to ensure that its interventions contribute to a coherent and enabling economic framework.

The Commission has a critical responsibility in shaping a more dynamic, inclusive, and competitive economy. This APP provides a credible foundation for that work. The focus now must be on execution, measurable outcomes, and sustained institutional performance.

I commend the Commissioner and her team for their continued commitment and look forward to the impact of their work in the year ahead.

Signature: _____

Ms Alexandra Lilian Amelia Abrahams, MP

Deputy Minister of Trade, Industry and Competition

Date: 14/04/2026

Accounting Authority Statement



Ms Doris Tshepe
Commissioner

The 2026/27 Annual Performance Plan (APP) marks the second year of the Commission's 2025–2030 Strategic Plan and reflects our continued commitment to delivering impactful outcomes for the South African economy and its people. During this period, the Commission will sharpen its focus on interventions that support inclusive growth, enhance competitiveness, and reduce the cost pressures faced by both consumers and businesses.

Our work contributes directly to several national priorities. These include improving the ease of doing business by reducing regulatory and administrative burdens; addressing excessive and exclusionary abuses to help alleviate the high cost of living; and ensuring that input markets that are central to industrialisation, sustainability and job creation work well. Central to our mandate remains the de-concentration of the economy and the removal of market barriers to ensure that small and medium sized enterprises (SMEs) and historically disadvantaged persons (HDPs) have an equitable opportunity to participate in the economy.

In the 2026/27 financial year, the Commission will also focus on building stronger partnerships with other regulators and development finance institutions within the dtic to identify opportunities to promote and facilitate market entry by innovative new entrants and HDP firms. To strengthen accountability and alignment with the outcomes-based approach of Government, the Commission has introduced an impact assessment tool that is now embedded across our work. Our enforcement and advocacy activities continue to follow a strategic pipeline-based approach, beginning with market research to identify uncompetitive market structures or conduct, followed by targeted investigations and, where appropriate, referrals for litigation, advocacy, or settlement. Importantly, potential impact, particularly on lower income consumers, SMEs, HDPs and labour-absorbing sectors is now explicitly incorporated into our prioritisation criteria, ensuring that resources are directed toward matters with the greatest public benefit.

Institutional capability has also been enhanced during the previous financial year. The establishment of a dedicated Market Inquiry Division is a key development aimed at accelerating inquiries into sectors characterised by persistent competition concerns. In mergers, revised notification thresholds are expected to reduce notifiable mergers by approximately 25 per cent, freeing up capacity and enabling the Commission to commit to shorter turnaround times for more complex large mergers. Alongside this, turnaround time targets have been introduced for cartel investigations in public procurement and timelines for conduct cases have been reduced, strengthening the effectiveness and responsiveness of enforcement.

The Commission’s merger control and enforcement work continues to deliver substantial public interest outcomes, including significant commitments to job creation, investment, and transformation. Impact studies of key conditions are being undertaken to inform the design of future remedies and to enhance their effectiveness.

Our cost of living interventions are focused on food and administered prices, while efforts to reduce the cost of doing business prioritise investments in secure digital infrastructure to improve the ease with which the public can interact with the Commission.

In conclusion, I wish to express my sincere appreciation to the staff and management of the Commission for their dedication and tireless efforts in advancing our mandate. I am also grateful to the Minister of Trade, Industry and Competition, the Deputy Ministers, the Ministry, and the Department of Trade, Industry and Competition for their strategic guidance and continued support. Together, we remain committed to building competitive, inclusive, and well-functioning markets in the public interest.

Signature:  _____
Ms Doris Tshepe
 Commissioner
 Date: 15 April 2026 _____

Official Sign-off

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the Commission under the guidance of Minister of the dtic.
- Takes into account all the relevant policies, legislation and other mandates for which the Commission is responsible.
- Accurately reflects the Impact, Outcomes and Outputs which the Commission will endeavour to achieve over the period 1 April 2026 to 31 March 2027.

Signature:  _____

Date: 15 April 2026

Mr. Ashraf Dindar

Chief Financial Officer

Signature:  _____

Date: 15 April 2026

Ms. Doris Tshepe

Commissioner

Signature:  _____

Date: 14/04/2026

Mr Parks Tau, MP

Minister of Trade, Industry and Competition

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Part A: Our Mandate

1. Introduction

The Competition Commission of South Africa (the Commission) presents its 2026-2027 Annual Performance Plan (APP). The APP is prepared with reference to the Commission's performance against its 2025-2030 strategy, alongside key contextual factors such as the political environment, developments in competition policy and law, and broader economic, social, geopolitical, and climate conditions. The Commission's 2026-2027 APP is based on the mandate of the Commission as derived from the Competition Act 89 of 1998, as amended (Competition Act).

The 2026-2027 APP present year two of the Commission's five-year strategy cycle, presenting its efforts towards the achievement of the National Development Plan 2030 (NDP). The NDP outlines the country's vision 2030 and articulates government's long-term priorities. The government's medium-term priorities for five (5) years from 2025 to 2030 are articulated in the priorities of the 7th Administration that began its work in June 2024. The Commission's 2026-2027 aims to align with the government's long-term priorities as outlined in the NDP, the Medium-Term Development Plan (MTDP) and the 7th administration priorities to support the realisation of industrialisation, job creation, transformation and building a capable state, ethical and developmental state.

The Commission's APP has been developed in line with the Department of Planning, Monitoring and Evaluation's (DPME) revised framework for strategic plans and annual performance plans that guides the planning process to be followed for the development of strategic plans and annual performance plans. The 2026-2027 APP comprises of four sections as follows:

- **Part A: OUR MANDATE** — This section deals with the Commission's mandate, including its constitutional mandate, the legislation establishing the Commission, institutional policies and strategies over the five-year period, and relevant court rulings.
- **Part B: OUR STRATEGIC FOCUS** — This section focuses on the Commission's vision, mission, values and situation analysis.
- **Part C: MEASURING OUR PERFORMANCE** — This section focuses on the Commission's performance information, i.e., the outcomes and outputs to be achieved over the coming five years.
- **Part D: TECHNICAL INDICATOR DESCRIPTIONS** — This section deals with the definitions of the indicators, enabling the reader to better understand their meaning.

2. Establishment of Competition Authorities

In 1994, the new and first democratic government of South Africa started with the review of several laws, including the country's competition laws. The objective of those initiatives was to address the historical imbalances resulting from excessive economic concentration and ownership skewed towards specific demographic groups, collusive practices in various sectors of the economy, and the abuse of economic power by firms in dominant positions. The 1994 White Paper on Reconstruction and Development sought to establish a series of immediate measures to address the structural deficiencies in the South African economy, this included creating a competition framework designed to reform markets by addressing anti-competitive practices and promoting an inclusive and transformative economy.

From the outset, policymakers recognised that competition policy would be one of several economic tools utilised to achieve transformation. It was thus considered important that the new competition policy framework be flexible enough to accommodate other economic instruments of the state, even where there were perceived or inherent conflicts, including trade and industrial policy. The successor of the Department of Trade Industry and Competition (the dtic), the Department of Trade and Industry (the DTI), from 1995 embarked on a consultative process to develop a new policy, which culminated in a National Economic Development and Labour Council (NEDLAC) agreement on the competition policy principles.

The result of this process was the Competition Act, which was adopted in 1998 and became effective as of 1 September 1999 (the Competition Act). The Competition Act established the Competition Commission, the Competition Tribunal, and the Competition Appeal Court. The Commission is an investigative and prosecutorial authority, the Competition Tribunal (the Tribunal) is an adjudicative authority, and the Competition Appeal Court (the CAC) is an appeal body over competition matters.

3. Constitutional Mandate

Section 1 (2) of the Competition Act provides that the Competition Act must be interpreted in a manner that is consistent with the Constitution. Furthermore, the Constitutional Court confirmed in the Mediclinic judgment that when interpreting any legislation including the Competition Act, every court, tribunal, or any forum must promote the spirit, purport and objectives of the Bill of Rights in line with section 39 (2) of the Constitution.

4. Legislative Mandate

As indicated above, the Commission is one of three institutions established in the Competition Act, alongside the Tribunal and the CAC. The Commission is empowered to review mergers, investigate and evaluate restrictive business practices including abuse of dominant position, to review and evaluate exemption applications and initiate and conduct market inquiries (to achieve equity and efficiency in the South African economy).

The purpose of the Competition Act is to promote and maintain competition in South Africa:

- (a) promote the efficiency, adaptability and development of the economy;
- (b) provide consumers with competitive prices and product choices;
- (c) promote employment and advance the social and economic welfare of South Africans;
- (d) expand opportunities for South African participation in world markets and recognise the role of foreign competition in the Republic;
- (e) ensure that small and medium-sized enterprises have an equitable opportunity to participate in the economy; and
- (f) promote a greater spread of ownership, in particular to increase the ownership stakes of historically disadvantaged persons.

Section 21(1) of the Competition Act provides more detail on the mandate of the Commission. The Commission's mandate is to:

- (a) implement measures to increase market transparency;
- (b) implement measures to develop public awareness of the provisions of the Competition Act;
- (c) investigate and evaluate alleged contraventions of Chapter 2;
- (d) grant or refuse applications for exemption in terms of Chapter 2;
- (e) authorise, with or without conditions, prohibit or refer mergers of which it receives notice in terms of Chapter 3;
- (f) negotiate and conclude consent orders in terms of section 63;
- (g) refer matters to the Tribunal, and appear before the Tribunal, as required by this Act (the Competition Act);
 - (gA) initiate and conduct market inquiries in terms of Chapter 4A;
 - (gB) conduct impact studies in terms of section 21A;
 - (gC) grant or refuse applications for leniency in terms of section 49E;
 - (gD) develop a policy regarding the granting of leniency to any firm contemplated in section 50;
 - (gE) issue guidelines in terms of Section 79;
 - (gF) issue advisory opinions in terms of section 79A;
- (h) negotiate agreements with any regulatory authority to co-ordinate and harmonise the exercise of jurisdiction over competition matters within the relevant industry or sector, and to ensure the consistent application of the principles of this Act (the Competition Act);
- (i) participate in the proceedings of any regulatory authority;
- (j) advise, and receive advice from, any regulatory authority;
- (k) over time, review legislation and public regulations, and report to the Minister concerning any provision that permits uncompetitive behaviour; and
- (l) deal with any other matter referred to it by the Tribunal.

5. Institutional Policies and Strategies Related to the Five-Year Planning Period

5.1 The National Development Plan, Vision 2030

The NDP is the vision and long-term plan for South Africa. It is the framework under which the government develops its policies and programs, geared at stimulating a social pact among South Africans for economic growth and job creation, aiming to eliminate poverty and reduce inequality by 2030. The Commission will contribute to poverty elimination and reduction of inequality through enforcement for participation of SMEs and HDPs, improving access to certain goods and service (healthcare, food, and other priority sectors), job creation and/or retention through merger review, exemptions and enforcement remedies.

Economic regulatory agencies, such as the Commission are crucial partners in ensuring inclusive economic growth. The following are the specific areas or themes in the NDP wherein the Commission has a role to play:

- (a) South Africa to increase its trade and export opportunities as a means to growth, with a growth target set for 5% per annum.
- (b) Contributing to lowering the costs of transport and logistics and investing in remedies to address spatial divides.
- (c) Promote competition in regulated markets and to advance specifically identified sectors which have high growth potential.
- (d) Competition authorities consider proposing 'ethical pacts' to the business sector to cover abuse-of-dominance and restrictive practices.
- (e) Engagement and collaboration between the competition authorities and policy makers, particularly on the implications of regulation in certain sectors and for the alignment of sector prioritisation.

The Commission recognises the importance of achieving the NDP goals and its role in contributing to their achievement. The Commission will, therefore, contribute to lower cost of living through enforcement for competitive pricing and interventions in key sectors that negatively affect the poor. The Commission will contribute to increased trade and export opportunities through exemptions, guidelines and by collaborating with other role players. The Commission conduct advocacy and collaborate with several stakeholders including sector regulators and policy makers to ensure that there is competition in all sectors and that government policies are pro-competitive and adhere to the Competition Act.

The Commission will in the current strategic period continue to prioritise the implementation of the 2019 amendments to the Competition Act, particularly the public interest provisions, to contribute to the reduction of poverty and inequality; and creation and maintenance of jobs, and participation of HDPs in the economy.

5.2 Medium-Term Development Plan and Priorities of the 7th Administration

South Africa faces multiple significant economic challenges both globally and domestically. On the global front, there are growing geopolitical tensions and protectionism in key export markets, while trade wars are creating conditions that lead to dumping, putting additional pressure on the country's small open economy. The country's export profile remains heavily skewed towards unrefined mineral exports, though its exports to Africa show a more favourable structure with higher shares of value-added manufactured goods.

Domestically, South Africa faces several structural challenges. The country's manufacturing sector is carbon-intensive, which could limit future export potential. The domestic market is too narrow to sustain large-scale investments without viable export markets, and high levels of market concentration create a hostile environment for SMEs. Economic activity is heavily concentrated in six metropolitan areas, leaving rural areas and townships disconnected from the formal economy.

The cost of doing business presents another significant challenge. The economy is vulnerable to load-shedding, rising electricity prices, and inefficient and expensive freight and logistics services. Business costs are further increased by deteriorating local government and security services. There is also a misalignment between skills development needs and labour supply, exacerbated by racial prejudice.

However, several opportunities and strengths can be exploited and leveraged. South Africa possesses a large, digitally savvy youthful population well-positioned for remote digital work and SMME development. The country has a well-developed and competitive agro-industrial value chain with high export potential in food, beverages, and fresh produce. Various sectors, including manufacturing, mining, agriculture, and tourism, have shown remarkable resilience in absorbing external shocks. To address these challenges and capitalise on opportunities, the MTDP outlines five key pillars for growth:

- (a) **Structural Reforms:** These include ensuring stable electricity supply, implementing freight and logistics reforms, and strengthening local government.
- (b) **Catalytic Sectors:** Focus on beneficiation in agriculture, mining, manufacturing, tourism, digital services, and green industries.
- (c) **Investment Stimulus:** This involves improving ease of doing business, developing new mines, and providing incentives.
- (d) **Induced Demand:** This pillar focuses on leveraging African Continental Free Trade Area (AfCFTA) export opportunities, promoting exports, encouraging localisation, and implementing stronger import controls.
- (e) **Transformation:** This includes promoting science, technology and innovation, supporting SMME growth, developing black industrialists, establishing a youth fund, and initiating a skills revolution.

These reforms are critical given South Africa's strategic position to benefit from AfCFTA opportunities, with eleven of the twenty fastest-growing countries in Africa. The country also has significant potential for green industrialisation due to its natural endowments of minerals that are key to decarbonisation efforts.

The 7th Administration has decided to dedicate the next five years (2025 – 2030) to actions that will advance three strategic priorities:



These three strategic priorities are aligned with the current priorities of the Commission. The Commission will continue to focus its work on improving competition in markets, particularly aligning this with catalytic sectors of the government and contribution to the realisation of industrial policy objectives whilst also contributing to improved participation of small and medium enterprises (SMEs) and firms owned by historically disadvantaged persons (HDPs). The Commission will expand its work on monitoring cost of food to also cover other essential products and services, particularly focusing on low-income consumers. The Commission will also focus on improving its agility, responsiveness and ensure its resources are accountable managed. In addition to this, the Commission will look at extracting more value from its resources and capabilities.

The Commission will align its work with the work of the dtic that seeks to deal with the identified key constraints to growth, particularly the following constraints: high administrative costs (energy & electricity, logistics, parks, fuel, gas); contribute to the reduction of cost of capital/ availability of finance by including this area as part of its focused work; red tape reduction through reforms in our processes and rules to improve throughput of matters; agile enforcement in dealing with issues related to upstream inputs; agile enforcement when dealing with issues of market access; continued focus on improved participation of SMEs and firms owned by HDPs; contributing to the reduction of concentration of economy and contributing to policy reform to promote competition in the economy.

The Economic Cluster has identified the following core outputs over the next five years with the dtic commitments also reflected below:

Core Outputs	FY 2029 (5 Year Target)	DTIC Contribution (#)	Total DTIC Contribution
Jobs Created	4 million	540 000	2 418 813
Investments	3 trillion	2 trillion	2.5 trillion
SMMEs Supported	255 000	13 900	50 705
International Tourist Arrivals	15 million	-	2 146 600 Tourist arrivals
Work Experience	2.1 million	330 000	1 013 Interns 345 000 Job opportunities
Subsistence Farmers	441 000	10 000	60 226
Transformation	200 Industrial Parks and District Development Model	200	200 + R32,5 billion
Exports	1 trillion	1 trillion	2 trillion
Red Tape Reduction	20 Key Processes	10 Processes 650 Investor Unblocking	

The Commission’s approach to contribution to the above core targets is anchored on the belief that competition regulation is pro-growth in general and is an important tool to drive transformation and grow a weak SME sector. As identified in the MTDP and industrial strategy, high levels of concentration limit growth and more inclusive growth through exclusion of SMEs and black business. In essence, concentration and barriers to entry or expansion hinder the investment and job creation by new entrants and existing challenger firms, raise the cost of doing business hindering downstream competitiveness.

The Commission believes that competitive markets also promote productivity growth and competitiveness, which is essential to localise and export in competition with suppliers globally. Industrial policy must be pro-competitive to develop competitiveness after interventions end. To ensure we offer the most support to inclusive growth, competition enforcement can be far more targeted to the sectors identified in the MTDP as catalytic for growth in the 5 pillars to drive growth, identifying and removing barriers to firm entry and

expansions in these sectors, helping to realise the potential of the sectors in the plan. Structural reforms aim to add not just capacity but also a competitive infrastructure market to bring about more competitive administered pricing that is driving the high cost of doing business.

The Commission's broad contribution will focus on:

- Our mandate requires us to weigh both competition and public interest impacts, and ensuring those objectives are considered under both competition and public interest.
- Coordinating more closely within the dtic and across departments to ensure our tools are leveraged towards common goals and bring all tools to resolve impediments to growth.
- Accelerating the speed to enforcement and merger review to timeously remove barriers to entry and expansion or reduce prices that contribute to the high cost of doing business.

The Commission is seeking to innovate in investigations to prioritise resources to high impact investigations, fast-track those investigations and promote early resolutions by having firms change their behaviour.

The Commission seeks to achieve more agility and responsiveness to improve ease of doing business considering the following:

- As set out in the MTDP, one of the impediments to growth identified under the investment stimulus pillar is the ease of doing business. Whilst there are initiatives to reduce red tape, regulation, to achieve a range of goals or protect consumers or shareholders, is sometimes cited by business as creating a burden and slowing down a more agile private sector looking to invest or expand.
- Whilst legislation sets out the mandate, our processes and capabilities strongly influence which businesses is caught by the regulation and the speed and certainty of the regulatory processes. This in turn affects the ease of doing business.
- For example, merger control requires notification of mergers falling within the thresholds set, putting those deals into a regulatory process.

The proposed increase in merger notification thresholds is expected to reduce the number of notifiable mergers thereby freeing up capacity within the Commission to commit to shorter turnaround times for more complex large mergers.

For those deals that are still notified, the time required to investigate and make decisions, including through the Tribunal processes, has been cited by business as adding to the cost of doing business and threatening some deals. Whilst most mergers are dealt with swiftly, complex deals can take longer.

The Commission will look at increasing capacity to our mergers team to allow for improved merger regulation. The Commission will also explore measures to improve efficiencies of its other investigative and litigation functions to achieve agility and responsiveness.

Conditions are required in key areas such as employment protection and transformation. However, typically a smaller number of mergers contribute disproportionately to the benefits these conditions bring, raising the prospect of limiting interventions to those that are more substantial and reducing the cost of doing business, whilst still delivering on transformation and job protection.

The Commission has contributed to transformation through merger conditions but also an enforcement strategy that prioritises barriers to the participation of SMEs and HDPs. Continuing to drive these is central to the more inclusive aspects of growth. The other areas of the operations of the Commission will also engage in improved contribution to the realisation of improvements in the participation of SMEs and firms owned by HDPs in the economy by accelerating the speed of finding resolutions to barriers to entry and expansion.

These efforts will be applied to participation priorities too, with an emphasis on collaboration. By fostering partnerships and cooperative efforts among stakeholders, the Commission aims to create a more supportive environment for SMEs and HDPs, ensuring that collective action leads to sustainable and inclusive economic growth.

5.3 Re-industrialisation of the Economy and its Interplay with Competition Policy

The dtic has identified three pillars to drive inclusive growth, industrialisation and sustainable job creation: decarbonisation, digitalisation, and diversification. Under decarbonisation, the focus is on developing several key sectors including batteries and vehicles, metals, renewable energy, and green hydrogen. This ties into the critical minerals value chain, which is becoming increasingly important given the European Commission's Carbon Border Adjustment Mechanism, particularly affecting the steel and aluminium industrial sectors.

In terms of diversification, the policy targets multiple sectors to broaden the economic base. These include agro-processing, cannabis and hemp, chemicals, personal care and plastics, clothing and textiles, oil and gas, aerospace and defence, pharmaceuticals, electrotech, tourism, and global business services. This diversification strategy aims to reduce the economy's dependence on traditional sectors and create new growth opportunities.

The digitalisation pillar focuses on developing the digital economy through technology-intensive industries, digital infrastructure, and e-commerce. This strategic focus recognises the growing importance of digital transformation in driving economic growth and competitiveness.

However, the successful implementation of the industrial policy faces several binding constraints that need to be addressed:

- (a) **Electricity Security of Supply:** The country faces significant challenges with reliability, costs, and access to electricity, which impacts industrial production and growth.
- (b) **Petroleum Refinery Issues:** These include high input costs, dependence on imported refined oil products, balance of payment challenges, competition concerns, and the impact of carbon taxes.
- (c) **Gas Supply Challenges:** The country needs to address potential gas supply shortages, find alternative supplies, and invest in infrastructure to avoid a “gas cliff.”
- (d) **Rail Sector Problems:** Reliability and cost issues in the rail sector need to be addressed through the Rail Network Statement and Transnet’s Turnaround strategy.
- (e) **Telecommunications:** High data costs and limited access continue to constrain digital growth.
- (f) **Water Security:** The country faces challenges with water reliability, costs, and access, complicated by failing infrastructure.

Addressing these binding constraints is crucial for the success of the industrial policy, as they currently represent significant obstacles to achieving higher economic growth and implementing the three-pillar strategy effectively. The high cost of production, particularly related to administered prices, remains a fundamental challenge that needs to be resolved to improve the competitiveness of South African industry.

South Africa’s re-imagined industrial policy focuses on several core goals: combining growth with transformation, boosting local production, growing exports with an emphasis on African trade, increasing investment, establishing a more reliable and low-cost energy system while greening the economy, and growing employment. The policy aims to achieve three key outcomes: industrialisation that promotes jobs and rising incomes, transformation that builds an inclusive economy, and a capable state that ensures improved impact of public policies.

The government has initiated several key structural reforms to support these goals. These include fast-tracking the Energy Action Plan and Transmission Development Plan, implementing the Freight Logistics Roadmap to move cargo from road to rail and improve port infrastructure, reducing regulatory red tape across departments and public entities, pursuing institutional reforms in the water sector, enhancing the strategic role of Development Finance Institutions, and addressing corruption and crime, particularly in areas like construction sites.

The interplay between industrial and competition policy has become increasingly important, as highlighted in the 2024 Organisation for Economic Co-operation and Development (OECD) Roundtable on Pro-Competitive Industrial Policy. It notes that industrial policy works better with pro-competitive design, as this drives efficiencies and innovation, enabling global competitiveness and growth once interventions cease. Industrial policy can foster competitive markets by removing entry barriers for all firms and providing industry-wide incentives rather than just subsidising incumbents. Public procurement can also foster innovation and competition as a source of demand.

Competition policy, in turn, supports industrial policy through various mechanisms. Merger control can serve as an instrument of industrial policy by preventing anti-competitive mergers or considering public interest in merger evaluations. Competition authorities play a crucial role as advisors in identifying sector and market distortions, providing guidance on cooperation agreements, and ensuring the pro-competitive design of industrial policies. They can also target enforcement efforts to industrial policy sectors and develop new tools to support industrial policy through pro-competitive interventions and foreign subsidy regulation.

Merger regulation has during the 2024/25 financial year, contributed the total value of the quantifiable Employee Share Ownership Plans (ESOPs) was approximately R1.2 billion while the total value attributable to the HDP transaction commitments was an estimated R 266 million. The Commission's efforts will contribute to the core outputs of the dtic and other outcomes of the 7th Administration, including job creation, investment, industrialisation, reducing cost of living, poverty alleviation, realisation of a capable, ethical and developmental state and export promotion.

6. Developments in Jurisprudence

6.1 Amendment to the Competition Act

On 13 February 2019, the Competition Amendment Act No.18 of 2018 was signed into law by President Cyril Ramaphosa. The amendment Competition Act amended the Competition Act and recorded in the preamble that it was intended [t]o amend the Competition Act.

- to introduce provisions that clarify and improve the determination of prohibited practices relating to restrictive horizontal and vertical practices, abuse of dominance and price discrimination and to strengthen the penalty regime;
- to introduce greater flexibility in the granting of exemptions which promote transformation and growth; to strengthen the role of market inquiries and merger processes in the promotion of competition and economic transformation through addressing the structures and de-concentration of markets;
- to protect and stimulate the growth of small and medium businesses and firms owned and controlled by historically disadvantaged persons while at the same time protecting and promoting employment, employment security and worker ownership;
- to facilitate the effective participation of the National Executive within proceedings contemplated in the Competition Act, including making provision for the National Executive intervention in respect of mergers that affect the national security interests of the Republic;
- to mandate the Commission to act in accordance with the results of a market inquiry;
- to amend the process by which market inquiries are initiated and promote greater efficiency regarding the conduct of market inquiries;

- to clarify and foster greater certainty regarding the determination of confidential information and access to confidential information;
- to provide the Commission with the powers to conduct impact studies on prior decisions;
- promote the administrative efficiency of the Tribunal.

Broadly, the amendment of the Competition Act's primary objective was to address two persistent structural constraints on the South African economy, namely:

- (a) The elevated levels of economic concentration in the economy; and
- (b) The skewed ownership profile of the economy.

The net effect of the amendment was a significant change on all areas of the Commission's functions, including,

- (a) Cartel enforcement under section 4 of the Competition Act;
- (b) Enforcement of vertical restrictive practices under section 5 of the Competition Act;
- (c) Enforcement of abuse of dominance under section 8 of the Competition Act;
- (d) Enforcement of price discrimination under section 9 of the Competition Act;
- (e) Exemption applications under section 10 of the Competition Act;
- (f) Merger control under chapter 3 of the Competition Act;
- (g) Market Inquiries under chapter 4A of the Competition Act;
- (h) Numerous procedural aspects.

The amendments to the Competition Act provide the Commission with additional authority and clarity in merger review, abuse of dominance, market inquiries and cartels. The Commission will in the 2025 – 2030 strategic period continue to prioritise the implementation of the amendments. The Commission is increasing its resources in order to effectively implement the amendments to the Competition Act, this includes the establishment of Market Inquiries division which will undertake the initiation and conducting of market inquiries in various priority sectors.

6.2 Key Developments in Jurisprudence

The issue of characterisation of cartel conduct has been continuing and it is yet to be resolved. The Commission's powers were severely affected by the adverse findings of the courts on these persistent issue. These findings have emboldened respondents, with most electing protracted prosecution rather than settlements. The unintended effects of these findings are (i) reductions in settlement due to increased bargaining power by respondents; and (ii) an increase in the number of settlements without admission of liability due to characterisation weakening enforcement.

“Characterisation” is a legal tool used by courts to understand the nature and intent of business agreements between companies and whether these agreements violate competition laws. This approach originated from the U.S. courts’ interpretation of the Sherman Act, which aims to prevent unfair restraints on trade. South Africa adopted this approach through a case in 2005 involving the American Natural Soda Ash Corporation (ANSAC), where the Supreme Court of Appeal (SCA) decided that it is essential to analyse agreements to see whether they restrict trade unlawfully.

In the U.S., courts use two main approaches to assess agreements: the “rule of reason,” which evaluates if the agreement has more benefits than harms to competition, and the “per se rule,” which treats certain types of agreements as automatically illegal. South Africa’s Competition Act has a similar distinction between two types of agreements. Section 4(1)(a) uses the “rule of reason” to assess agreements that could potentially harm competition but may have justifications, like efficiency gains. Section 4(1)(b), however, outrightly prohibits severe anti-competitive practices (like price-fixing, market division, and collusive tendering) without allowing for justifications.

Since the ANSAC case, South Africa’s Competition Appeal Court (CAC) has applied this approach to cartel cases. Even in cases where an agreement might clearly appear to be illegal (as per section 4(1)(b)), the CAC has still reviewed and characterised these agreements to better understand their nature. This characterising process has influenced several cases and sometimes resulted in conclusions that an agreement did not actually fall under section 4(1)(b)’s strict prohibition, such as when companies were found to have vertical rather than horizontal relationships (e.g., supplier-customer arrangements instead of competitors).

This trend by the CAC has led to a broader interpretation of anti-competitive behaviour, often finding justifications or characterising relationships in a way that makes it difficult for the Commission to prove violations. Over time, this approach has blurred the clear distinction intended by the Competition Act between “rule of reason” cases and strictly prohibited “per se” violations, ultimately making it more complex for the Commission to prosecute cartel behaviour effectively.

Cartel conduct is one of the most harmful violations of the Competition Act, as it harms both competitors and consumers. In the 2025 – 2030 strategic period the Commission seek to obtain clarity on section 4(1)(b), be pro-actively respond to the jurisprudence and ensure investigations take into account this jurisprudence.

Part B: Commission's Strategic Focus

7. VISION OF THE COMMISSION

The vision of the Commission is competition regulation for:

A competitive, dynamic, deconcentrated and inclusive economy.

The Commission is committed to implementing competition policy effectively to promote competition across sectors (particularly priority sectors), diversification of economic activity to include (for example to improve township economy) and facilitate the inclusion of Historically Disadvantaged Persons (HDPs). The Commission will also be looking at adaptability of the economy to shocks. The Commission will contribute to industrialisation for inclusive growth by promoting key growth drivers such as investment, and lower prices, ultimately contributing to poverty alleviation, reduced unemployment, and economic growth. The Commission envisions a South African economy where competition is a defining characteristic, markets are vibrant and dynamic, and small and medium-sized enterprises (SMEs) and firms owned by historically disadvantaged persons (HDPs) are sustainably integrated and thriving within the economic landscape.

8. THE MISSION OF THE COMMISSION

The Mission of the Commission is to:

Foster economic growth and transformation in South Africa by championing effective competition regulation, enabling the meaningful participation of Historically Disadvantaged Persons, and empowering Small and Medium Enterprises

South Africa faces challenges such as sluggish economic growth, high market concentration in key sectors, and limited transformation in economic participation. To address these issues, the Commission is dedicated to leveraging its diverse tools and resources to promote competition across all sectors of the South African economy, aiming to stimulate economic growth and reduce market concentration in priority areas. Additionally, the Commission is focused on enhancing the participation of small and medium-sized enterprises (SMEs) and firms owned by Historically Disadvantaged Persons (HDPs) by utilising the amendments to the Competition Act. This mission aligns with the government's broader efforts to drive economic growth and transformation, ensuring a more inclusive and dynamic economy.

9. VALUES

The values adopted by the Commission in the previous strategy cycle remain relevant for the 2025-2030 strategy period as they align with the current and anticipated work environment whilst reflecting the principles the Commission wishes to uphold in delivering its mandate in the 2025-2030 strategic period. The Commission’s values are informed by the people-centric approach of the Commission to its employees (as reflected in its commitment to employee welfare) and its stakeholders in the pursuit of the delivery of quality services to all the stakeholders in line with the government priority of a capable state. The Commission has improved the description of its values for strategy 2025-2030 as follows:

Table 1: COMMISSION’S VALUES



10. STRATEGIC GOALS

Strategic Goal	Description
<p>Strategic Goal 1: To stimulate economic dynamism by fostering competitive markets that enable job creation, attract investment, and accelerate industrialisation.</p>	<p>This strategic goal guides the Commission in utilising its tools—merger regulation, market inquiries, advocacy and enforcement—to tackle market concentration and advance public interest outcomes. It encompasses the investigation and prosecution of abuses of dominance, restrictive practices, and the exposure and dismantling of cartels. Achieving this goal hinges on efficient and effective merger regulation and enforcement, fostering competitive, contestable, and deconcentrated markets, enhancing public interest outcomes, and improving compliance with and awareness of competition law. It also involves enabling both small and large competitive businesses to thrive. During this strategic period, the Commission will leverage all available instruments, including exemptions, remedies, and settlements, to ensure markets function more dynamically, stimulating growth, attracting investment, creating jobs, and accelerating industrialisation.</p>
<p>Strategic Goal 2: To contribute to economic transformation through competition policy interventions that facilitate market entry, enable business expansion, and promote effective market participation for diverse economic actors.</p>	<p>This goal directs the Commission's use of merger regulation instruments to comprehensively address market dynamics through mitigating market concentration, facilitating SME and HDP-owned firm entry and participation, and leveraging strategic interventions. This includes market inquiry follow-ups, procurement and supplier development commitments, skills training programs, worker equity initiatives in ESOPs, beneficial collaboration exemptions, and cartel settlements to achieve public interest outcomes as envisioned in the amended Competition Act.</p>
<p>Strategic Goal 3: To provide responsive leadership in competition policy and law through collaboration and leveraging advanced digital tools and professional expertise.</p>	<p>Achieving this goal will require collaboration and coordination with the government, other economic regulators crucial and relevant stakeholders in promoting the development of pro-competitive public policy outcomes. In this goal, the Commission also seeks to be a thought leader on competition and economic issues, both domestically and internationally. This includes contributing to the national economic discourse and policymaking. The achievement of this goal further requires the Commission to leverage digital technology, for instance, in strengthening cartel detection and exploring ways in which process automation can improve process efficiency standards. The full operationalisation of an organisation-wide Management Information System is at the heart of its digital transformation, especially in ramping up its capacity to monitor and track outcomes of its different public interest-related conditionalities imposed on economic actors. Ensuring the Commission has the appropriate capacity to do this is essential, especially by ensuring that it has the necessary capacity and deploy the necessary expertise where needed.</p>

11. THE COMMISSION'S THEORY OF CHANGE

The Commission's theory of change presents a comprehensive causal chain linking its core activities to ultimate societal impacts. The logic begins with foundational activities in competition/market intelligence, investigations, merger control, cartel enforcement and advocacy. These activities, supported by data-driven decision-making and predictive analysis, enable the Commission to build its evidence base, understand market dynamics, and frame appropriate interventions. The Commission's advocacy activities, including creating awareness of the importance of competition for the economy, educating and training stakeholders, contributing to agenda settings in regional and global fora, and collaborating with regulators in regulated sectors, are crucial for mobilising support for its competition enforcement activities. The development of the appropriate organisational capabilities, such as an effective organisational structure, good talent management, sound financial management, and the implementation of an effective Management Information System, contribute significantly to how these activities are performed and the outputs produced.

Enforcement and advocacy activities, enabled by a capable organisation and informed by research and analysis that examines firm behaviour and structural barriers to competition, which in turn contribute to selecting practice enforcement strategies and instruments, seek to produce specific outputs. These outcomes include enhanced competition, improved consumer choice, reduced barriers to entry, and increased compliance with competition law. The outputs are strengthened through knowledge production, research, and advocacy efforts that create awareness and influence the policy landscape. This work is underpinned by effective coordination and collaboration with other regulators and stakeholders, contributing to a harmonised approach to competition policy.

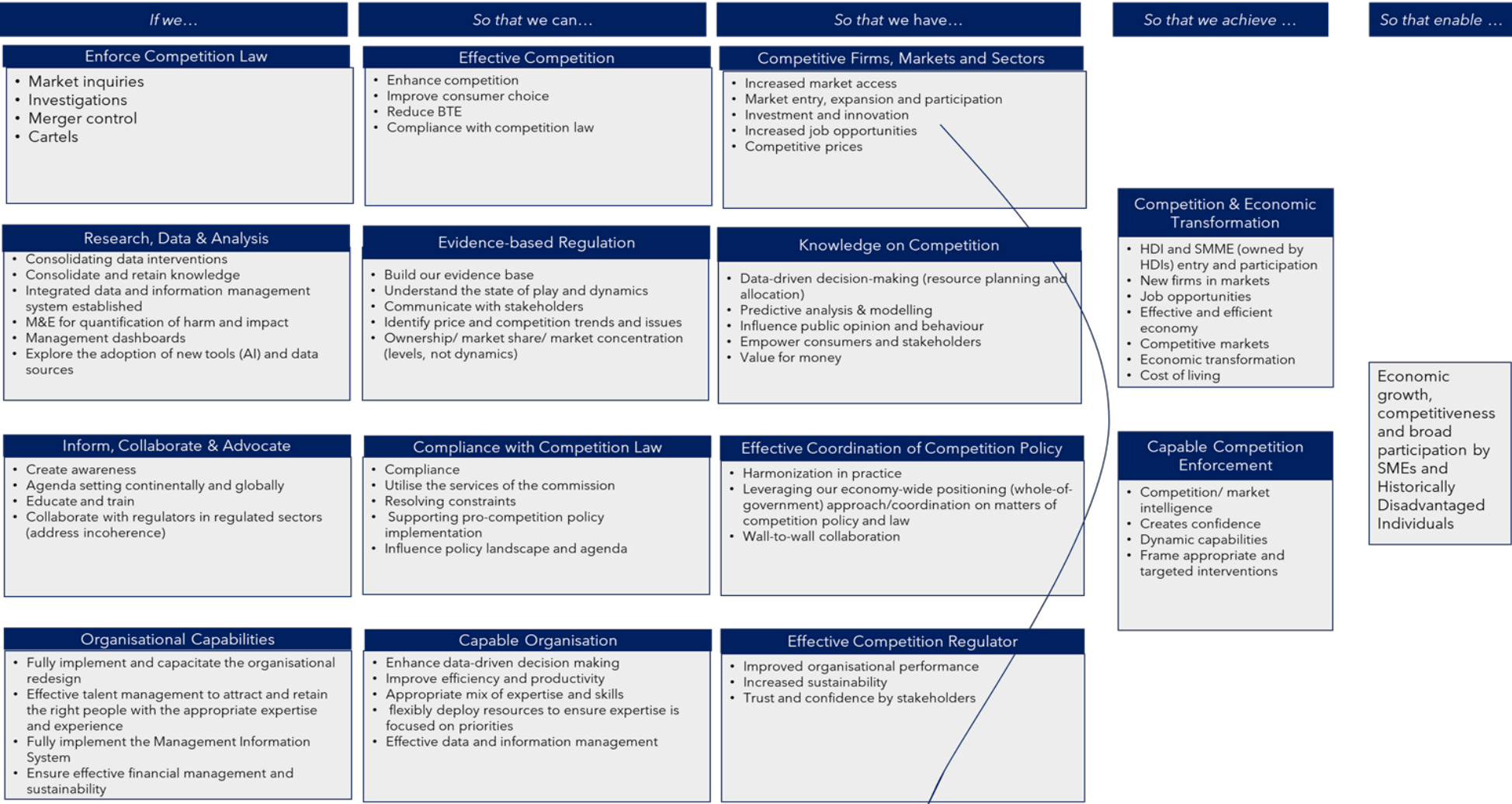
These outputs then contribute to intermediate outcomes including increased market access, enhanced market entry and participation, greater investment and innovation, and more competitive prices that reduces the cost of living for consumers and especially poor households. The Commission's organisational capabilities and effective talent management ensure these outcomes are achieved efficiently. This is further supported by improved data management systems and monitoring and evaluation frameworks that help quantify harm and impact.

The long-term results of these interventions are expected to contribute to outcomes that include increased participation by SMEs and HDPs, new firm entry into markets, expanded job opportunities, and ultimately a more effective and efficient economy. At the same time, these outcomes are realised through advocacy for the empowerment of consumers and stakeholders and a whole-of-government approach to competition matters. These outcomes collectively contribute to the Commission's ultimate goal of achieving economic growth, competitiveness, and broad participation by SMEs and HDPs, while also addressing cost of living concerns and promoting economic transformation. The theory of change emphasises that this transformation

is achieved through the development of competitive firms, markets, and sectors, supported by a regional knowledge economy that fosters innovation.

Each element in this theory of change illustrates how activities and associated strategies progressively build upon each other to achieve the overarching goals of economic transformation and inclusive growth through a competitive economy.

Figure 1: Competition Commission Theory of Change



12. PRIORITISATION AT THE COMMISSION

Prioritisation has been at the core of the strategy design of the Commission since 2018 and has sought to enable the Commission to deploy its resources in an efficient manner in the execution of its proactive and reactive work in pursuit of greater impact and outcomes that are aligned with the needs of its stakeholders, priorities of the government and its strategic focus. This approach enables the Commission to identify and select strategic sectors to focus its enforcement and advocacy work. Prioritisation takes into account the reality of resource constrained environment within which the Commission must execute its mandate and need for greater impact. The priorities identified for the 2025 to 2030 strategy cycle has been guided by:

- (1) **High Impact** – the Commission would like to focus its resources and efforts towards greater impact and has considered the potential of its impact in the identification of sectors and themes for the focus of the Commission.
- (2) **Competition issues** – the identification of sectors and themes by the Commission has also taken into account existing and likely competition issues.
- (3) **Government priorities** – the Commission seeks to align with the priorities of the 7th Administration, the MTDP and the priorities of the dtic with the aim of supporting government in achieving its goals. Therefore, sector prioritisation takes into account government priorities in terms of sectors, goals and cross cutting themes.
- (4) **Impact on low-income consumers** – the Commission will also focus on the impact of competition issues on low-income consumers, with priority sectors/themes guiding by this principle.

The prioritisation framework guides the proactive work of the Commission (e.g. self-initiations, market inquiries, advocacy, cartel detection) and improves the execution of the reactive work of the Commission (e.g. merger filings, complaints, leniency applications) to achieve the stated priorities of the government within the mandate of the Commission. The prioritisation framework will guide prioritisation at operational level and will consider the extent of the impact, e.g. high impact in the non-priority areas vs low impact in the priority areas, and impact on low-income consumers.

Proactive work of the Commission

In the 2026/27 financial year, the Commission's proactive work will support the priorities of government and the dtic by focusing on:

- (a) Interventions to remove high-impact legislative and regulatory barriers in prioritised focus areas.
- (b) Initiation of interventions to support change in market structure, in prioritised areas, to reduce concentration and promote competition and dynamism of those markets.

- (c) Initiation of interventions to remove barriers to entry and participation for SMEs and firms owned by HDPs in prioritised sectors resulting in new entry/improved participation to support growth through industrialisation.
- (d) Initiation of interventions to track and contribute to improved accessibility and reduced costs of critical inputs to support industrialisation whilst also tracking and intervening for reduced cost of prices of essential goods and services, particularly those affecting low-income households.
- (e) Interventions to support transformation and job creation through talent acquisition program focused on attracting youth, women and people living with disabilities.

The realisation of the above in our proactive work will be supported by:

- (a) Interdisciplinary teams that will collaborate to deploy the relevant tools of the Commission in a coordinated fashion for agile and effective intervention by the Commission in prioritised areas of the economy.
- (b) Improved collaboration and coordinated implementation within the dtic group to realise demonstrable outcomes and impact in the identified focus areas.
- (c) All-of-government approach to tackling the issues in the identified focus areas, guided by the MTDP, with improved collaboration and coordinated interventions to realise the outcomes of the MTDP.

In the period between the 2026/27 to 2028/2029 financial years, the Commission will conceptualise and implement high-impact initiatives in the following value chains: Agriculture-food processing-retail value chain, Oil/Gas – Polymers – Plastics value chain and Healthcare value chain. In these value chains, the Commission will respond to issues identified within its focus areas through a well-coordinated effort within the Commission, with the dtic/its entities and with other relevant stakeholders within the state and outside of the state. This program will require extensive planning and preparatory work given the limited resources available so as to ensure focus on high-impact initiatives.

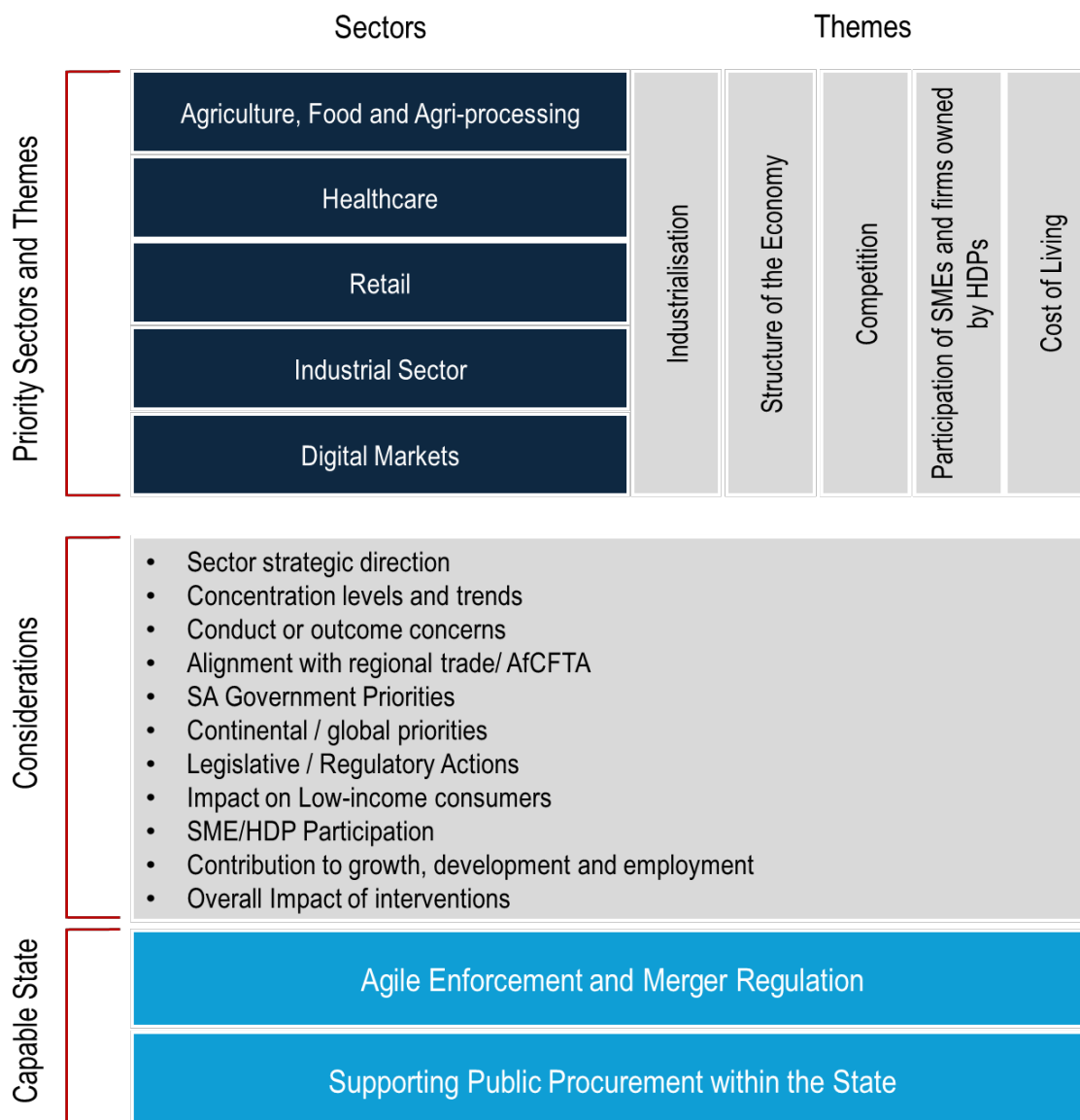
The 2026/27 financial year will focus on building the building blocks and foundations of this program with work that the Commission is already doing in these areas incorporated into this program. The preparatory work will include the following focus areas:

- (a) Coordination of stakeholders that will be part of the program for planning, joint planning, resource allocation and creation of coordination structures for implementation of the program.
- (b) Research to identify critical issues and focus areas where there is a high need and high potential impact when the tools of the Commission and instruments of other stakeholders are deployed in a coordinated fashion;
- (c) Stakeholder engagement to identify issues and prioritise the interventions of the Commission.
- (d) Reviews of the regulatory frameworks within the identified value chains to identify priority issues for intervention.
- (e) Improved surveillance and monitoring in the identified value chains for planning of interventions.

The envisaged program will be a multi-year program with outcomes likely to start flowing from the 2027/28 financial year. The Commission will be drawing from its experience in undertaking programs where it has used similar approaches and intensity including in the construction and Covid-19 investigations. The implementation of this program will be geared at contributing to the themes that the Commission has identified and ensuring improved market access and related issues like access to finance for entry and expansion. Our proactive program will also demonstrate the benefits pro-competition industrialisation.

Reactive Work of the Commission

A big portion of the work of the Commission is the reactive component of our work which relates to investigation, litigation, merger regulation and advocacy triggered by complaints and requests to the Commission. The Commission will prioritise within this work in line with the framework below:



Guided by this framework, the Commission will focus on the following key issues over the 2025 – 2030 strategy cycle:

- The Commission is committed to fostering a competitive and inclusive economy that benefits all South Africans, with our programs aligned to the priorities of the 7th Administration to drive socio-economic change in South Africa, namely: inclusive growth and job creation, reduction of poverty and tackling high cost of living and building a capable, ethical and developmental state.
- In pursuit of the inclusive growth and job creation, the dtic has identified the implementation of Accelerated Industrial Policy as a key priority in the 7th Administration. The Commission believes a pro-competition industrial policy will be beneficial to South Africa in line with various studies on this including those by the OECD. The Commission intends to support industrialisation by prioritising work with impact to industrialisation for quicker turnaround times and also initiate targeted interventions to deal with competition issues that affect industrialisation.
- The Commission will continue to support collaboration of firms through exemptions to realise improved complexity of manufacturing, localisation and exports to drive inclusive growth. The Commission will be improving its efficiencies in the finalisation of the exemptions to ensure the availability of this tool for improved collaboration learning from what has been achieved in various sectors.
- The Commission's contribution to the transformation of the South African economy will focus on the structure of the economy, participation of SMEs, participation of firms owned by HDPs and geographic concentration of economic activity. In addition to this, the Commission will continue to support ownership of shares by employees in the companies they work in.
- The Commission is also seized with the imperative of reducing the cost of doing business and creating an environment that is conducive for entry and expansion by preserving the value of investments through promoting competition. The Commission will be focusing on ensuring its processes are more agile, predictable and easier to engage with so as to improve the environment within which business operates and the cost of doing business.
- The Commission will also continue to contribute to reduction in the cost of providing public goods and services through agile investigation and prosecution of collusive tendering in public procurement.
- The Commission's priority sectors are aligned with the dtic priorities and seek to support industrialisation, jobs creation, inclusive growth and reduced cost of living. The identified priority sectors are labour intensive sectors which present opportunity for job creation.

The Commission will respond to these areas of focus through the following key interventions:

- (a) Enforcement against conduct that reduces contestability of markets and competition within the economy, particularly on catalytic sectors/sectors linked to catalytic sectors and priority sectors of the Commission.
- (b) Interventions that improve the participation of SMEs and firms owned by HDPs in the economy.
- (c) Competition regulation for improved access to key inputs and reduction of cost of inputs for production of goods and services in prioritised areas.
- (d) Competition regulation for improved market structure in prioritised markets in the economy.
- (e) Reduction in cost of living and agile responses to deal with shocks that affect low-income households.

13. SITUATIONAL ANALYSIS

13.1 External Environment

A. Economic Outlook

The development of the Commission's 2026/27 APP takes place within a global macroeconomic context that is characterised by resilient growth rates despite heightened trade tensions, geopolitical risks and policy uncertainty. While this resilient growth is largely evident in the advanced economies, most of which have rebounded to above pre-pandemic levels, many emerging and developing economies still have per capita incomes that are below 2019 levels.¹ In 2026, geopolitical tensions remain elevated posing significant risks to global trade and global trade imbalances have increased, while government debt is growing at fast rates in key economies, including the United States of America (USA).² These trends, along with ongoing risks due to technologic shifts related to artificial intelligence, are not sustainable and have contributed to market volatility concerns.³ While global economic growth is projected to remain resilient at 3.3 percent in 2026 and 2027, risks remain tilted on the downside, given the re-evaluation of the productivity growth expectations about artificial intelligence, trade and geopolitical tensions.⁴

The South African economic outlook shows cautiously modest improvements, with the gross domestic product (GDP) expected to grow by 1.6 percent in 2026 and forecasted to reach 2 percent in 2028. The expected growth prospects will be supported by the continued implementation of structural reforms, improving business and investor confidence, low interest rates and increasing investments.⁵ Household consumption remains the main driver of economic growth in South Africa. Against this backdrop, the decline in inflation, to 3.2 percent in 2025, helped improve affordability for households and created space for the lowering of interest

1 World Bank Group. 2026. Global Economic Prospects. Available at .

2 South African Reserve Bank. 2026. Statement of the Monetary Policy Committee – January 2026. Available at [Statement of the Monetary Policy Committee January 2026](#).

3 Old Mutual. 2026. A post-budget economic outlook. Available at [Are we being too positive about South Africa's economic outlook?](#).

4 International Monetary Fund. 2026. World Economic Outlook Update – Global Economy: Steady amid Divergent Forces. Available at [World Economic Outlook Update, January 2026: Global Economy: Steady amid Divergent Forces; World Economic Outlook 2026/003](#); World Bank Group. 2026. Global Economic Prospects. Available at [Global Economic Prospects -- January 2026](#).

5 National Treasury. 2026. 2026 Budget – A fiscal turning point in a resilient economy. Available at [PowerPoint Presentation](#).

rates.⁶ The strengthening of the Rand, along with improving bond yields, have contributed to the reduction in debt-service costs, which will support the sustainable provision of public services.

While the implementation of structural reforms in energy, transport, telecommunications and visa provision have contributed to economic growth, key risks remain. The energy and infrastructure bottlenecks, persistently high unemployment levels, essential basket price pressures, and electricity prices, among others, remain a concern for the projected growth going forward.⁷

These economic conditions create an environment that requires a continued focus on the impact of market concentration and its associated concerns regarding the prospects of economic transformation, on competition in markets, and ultimately economic growth. The identified key risks that persist are likely to occur within some of the Commission's priority sectors (food and agro-processing, healthcare, retail, industrial input products, and digital), thus necessitating a need to maintain continued focus on developments in these markets.

Given the role of household consumption as a driver of economic growth in South Africa, consumer markets remain an important area of focus for competition enforcement priorities, particularly given the prevailing cost-of-living challenges facing the majority of households in the economy. It is expected that household consumption expenditure will continue to be focused on essentials.

While the momentum on structural reform is gaining traction and showing signs of positive outcomes, small businesses participation still remains an area of concern for South Africa. While small businesses are a key feature of high-performing economies, given their relative contribution to employment and value added, this is not the case in South Africa. This points to the need for a continued focus on lowering barriers to entrepreneurship and promoting small business growth in South Africa. The limited growth in the number and relative contribution (value added and profitability) of small businesses in the South African economy points to the need for a concerted policy and regulatory effort to improve the ease of doing business and the development of strategies for scaling up support and strengthening small business development as part of an inclusive industrialisation programme.

6 United Nations. 2026. Macroeconomic Trends in South Africa January 2026. Available at [Macroeconomic Trends in South Africa January 2026 | United Nations in South Africa](#).

7 South African Reserve Bank. 2026. Statement of the Monetary Policy Committee – January 2026. Available at [Statement of the Monetary Policy Committee January 2026](#); United Nations. 2026. Macroeconomic Trends in South Africa January 2026. Available at [Macroeconomic Trends in South Africa January 2026 | United Nations in South Africa](#).

B. Trade and Competition Policy Developments

The world has seen a shift towards digital platforms, where consumers and businesses complete most transactions through digital platforms. Moreover, the Covid-19 pandemic accelerated the shift towards digital platforms. Digital platforms have contributed to technological developments and have given rise to several new business models and novel products and services. Consequently, innovation has contributed to economic growth. Therefore, digital platforms present many opportunities for economies in terms of innovation and efficiency. However, challenges for competition authorities arise from this innovation - some risks and challenges come with digital markets. These risks prompted competition authorities to monitor the potential anti-competitive behaviour in these markets. Consequently, several countries have designed new regulatory frameworks; for example, countries such as Australia, Brazil, India and the United Kingdom base their newly designed frameworks on the European Union's Digital Markets Act.

The growth of digital markets and advances in artificial intelligence (AI) present unique opportunities and challenges for South Africa as it seeks to address deep-seated structural economic issues, including low growth, unemployment, inequality, and poverty. The digital economy offers a new frontier for economic diversification and can support a more agile, innovative business environment with lower entry barriers for SMEs. Digital platforms, for instance, make it easier for local entrepreneurs to reach wider markets and engage consumers in new ways, potentially creating employment opportunities and stimulating economic growth. The entry of global platforms into the South African market presents an even more unique opportunity for SMEs to access cross-border markets and participate in the global economy.

However, if left unchecked, the growth of these markets could exacerbate existing inequalities, especially if dominant (global) firms dominate the market, pushing smaller players to the margins. This is a particular concern in South Africa, where high levels of concentration exist in several sectors, and where the cost of digital access remains prohibitive for many. As such, digital markets remain an important area of focus for the Commission's enforcement priorities, with a view to ensuring that the opportunities presented for lowering barriers to participation for SMEs are harnessed whilst curtailing possible risks that may arise.

The rise of AI technologies could further intensify competition dynamics, offer efficiencies and innovative potential but also introduce risks related to monopolistic power and data dominance. Large multinational companies leading in AI development may leverage their resources to gain competitive advantages, limiting the ability of local businesses to compete effectively in this emerging sector. AI-driven tools can enable companies to gain insights into consumer behaviour, predict demand patterns, and even manipulate markets, raising concerns about unfair competitive practices and consumer exploitation. For a country like South Africa, which is working to foster a balanced and inclusive economy, it will be essential to develop competition regulations that address these emerging challenges.

The Commission, for example, will need to explore new regulatory tools to address complex issues such as platform dominance and AI-induced anti-competitive practices. This will also require collaboration with international counterparts, as many dominant digital firms operate across borders. Aligning competition regulation with digital and AI advancements is crucial for South Africa to harness the digital economy's potential as an inclusive economic growth engine and mitigate the risks associated with increased digital market concentration and data monopolisation.

Geopolitical tensions are on the rise, and this affects trade between countries. The conflicts in Europe, the Middle East and Africa continue negatively affecting trade in many other countries. Moreover, the recently heightened tensions because of the active conflicts in the Middle East present challenges relating to the cost of energy, disruptions to shipping routes and place upward pressure on agricultural input (fertiliser) costs. For a country like South Africa, these dynamics amplify existing economic challenges, as slower global growth diminishes demand for South African exports and increases the cost of imports. The resulting volatility affects South Africa's structural transformation efforts by constraining its ability to generate sustainable growth, create employment opportunities, and address pervasive inequality and poverty.

The trade tensions between the U.S. and China have also led to a more fragmented global trading system, with competing trade blocs and heightened protectionist policies. This division can inhibit South Africa's access to global markets, technology, and investment capital, which are essential for developing sectors that drive economic diversification and structural transformation. As the global economy divides along geopolitical lines, South Africa risks being caught in a competitive disadvantage, potentially limiting its access to markets and investment critical for modernising industries and improving economic competitiveness. Additionally, rising energy prices and disruptions in key imports like food and manufactured goods exacerbate inflationary pressures, reducing purchasing power for already vulnerable South African households.

These global developments underscore the importance of robust competition regulation within South Africa. Trade and competition policy are increasingly interlinked as geopolitical tensions shape global trade practices and influence market dynamics domestically. Competition authorities in South Africa must now navigate complex international influences that affect local market structures, including the risk of foreign firms dominating sectors crucial to the country's economic transformation. Moreover, the combination of geopolitical tensions and the upending of the global tariff system, led by the United States, has direct implications for competition enforcement as it has the potential to affect competition between domestic and foreign goods, and thus how relevant markets for competition enforcement are defined in the short- to medium-term.

The trade disruptions due to geopolitical tensions have narrowed the available supply sources for globally traded energy and agricultural inputs and commodities. The reciprocal tariffs, on the other hand, have

negatively affected the competitiveness of South African exports to its traditional markets, and led to the exploration of expanded trade relations in new markets. These developments, combined, have the likelihood of narrowing, or re-shaping, relevant markets for competition enforcement purposes. Moreover, the inflationary risks arising from these developments, necessitate that the Commission maintains focus on its priority sectors given the likely impact on consumers and cost of doing business.

Strengthening competition regulation is also vital to protecting South Africa's SMEs, ensuring competitive pricing, and promoting inclusive growth in a global environment where competition is skewed by geopolitical interests. By ensuring fair market conditions, South Africa's competition regulators can support local industries, foster innovation, and address some of the socioeconomic challenges, even as global conditions remain uncertain and turbulent. There is an increasing need to promote the localisation of certain products during the 2025-2030 strategy cycle. This will mitigate against the effect of imported inflation but also increase South Africa's production base and allow firms to take advantage of opportunities elsewhere. It is against this context that the Block Exemption for the promotion of exports regulations published by the Minister of the dtic are an important tool aimed at ensuring the competitiveness of South African exports in global markets.

The African Continental Free Trade Area (AfCFTA) presents many opportunities for South African companies in terms of expanding exports to other African markets. To take advantage of these opportunities in African markets requires a competitive and efficient domestic market. Therefore, there is a need to strengthen competition, remove barriers and improve productivity in the domestic market to enable firms to take advantage of the opportunities presented by AfCFTA in the 2025-2030 cycle. Further, there is a need to ensure continental regulatory harmonisation to remove the complexity, and possibly the cost, of doing business across the continent.

The development of regional competition regulation within Africa holds strategic importance for South Africa and other African nations engaged in the AfCFTA. The adoption of the Protocol on Competition Policy as part of AfCFTA reflects a pivotal shift in how competition issues are addressed across African markets, where domestic firms often operate regionally. This approach recognises the interconnected nature of African economies, where markets often transcend national borders, and positions regional competition as a critical driver of economic integration.

Regional competition regulation enables African competition authorities to collectively address cross-border competition issues that impact regional trade, such as monopolistic practices by large multinational companies that operate across multiple African countries. Coordination with regional competition authorities provides a harmonised framework that ensures that firms can compete equitably while also promoting the growth of local and small enterprises across the continent. By fostering competitive regional markets, regional competition regulation contributes to a stronger, integrated African economy that can create more employment opportunities, support industrialisation, and enhance economic resilience.

C. Firm Behaviour

One issue that continues to evolve is characterisation, which remains a challenge for the Commission. The business and legal fraternity are pushing for characterisation when assessing cartel conduct. This issue of cartel characterisation is receiving attention from the Commission as it affects the investigation and prosecution of cartel cases.

Following implementation of the amendments to the Competition Act, particularly amendments on public interest issues, there is some resistance from business in meeting the public interest requirements in merger review. The merging parties are mostly disagreeable with public interest conditions proposed by the Commission, which therefore extend the length of merger investigations and, in some instances, compromise the turnaround times.

To resolve the issues while growing into the amended public interest, negotiating merger conditions with the merging parties has become more complex and lengthier, with some compromises on merger conditions during negotiations, which may affect achieving the intended outcomes.

The Commission faces ongoing jurisdictional challenges, particularly in industries where sector regulators exist, and where firms operate internationally. Appeals on competition and public interest judgments are increasing, further prolonging litigation and complicating enforcement of competition policy.

13.2 Internal Environment

A. Organisational Capacity

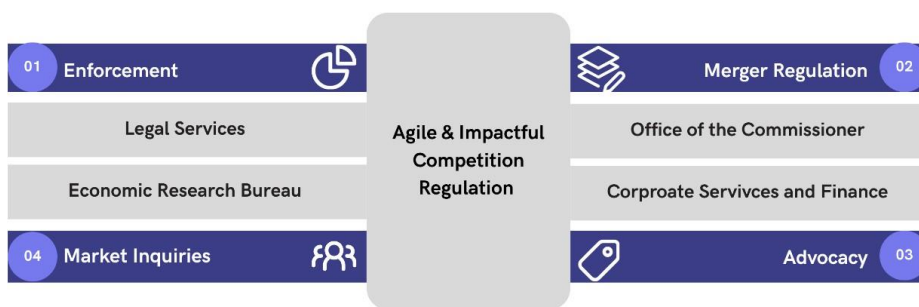
(a) Organisational Design

The Commission reviewed its organisational design and structure during the previous strategy cycle as it sought to respond to the impact of the amendments to the Competition Act that introduced far-reaching changes to the Competition Act. The amendments gave the Commission a greater scope to advance the objectives of the Competition Act. Notably, this included the promotion of competition and economic transformation through addressing, inter alia, the structures and deconcentrating of markets and greater participation by SMEs and HDPs.

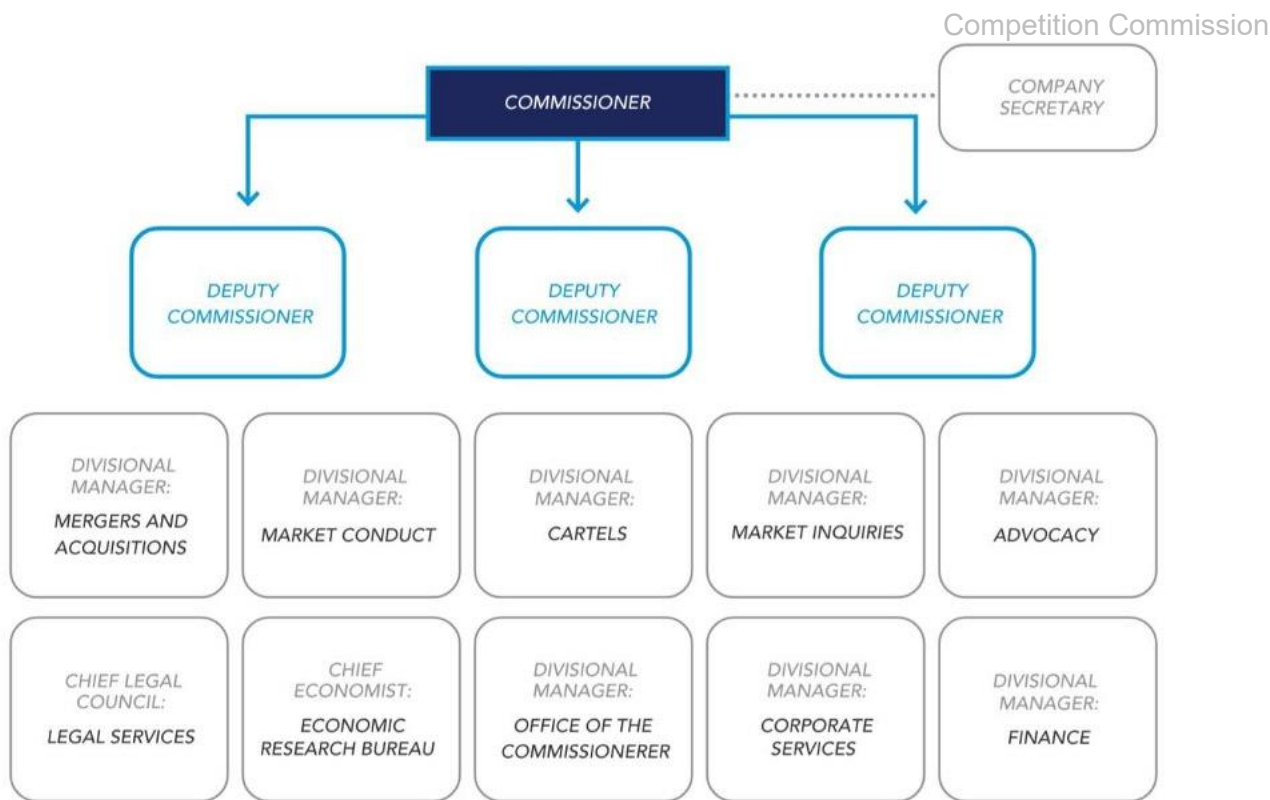
The review process found that there was an increase in scope of work due to the amendments of the Competition Act, which increased the Commission's scope of work through expanded powers in some areas and the introduction of public interest provisions. The amendments changed the resource intensity of some of the areas of the Commission including in Mergers and Acquisitions regulation and in conducting Market

Inquiries. The other factor was an economic decline that resulted in an increase in workload beyond the expectations of the Commission.

This process resulted in a functional structure benchmarked with competition authorities elsewhere in the world and some regulators and public institutions domestically. This functional structure sought to increase capacity at the Commission within the fiscal envelope of the Commission in the medium term. The shift to outcomes orientation in the work of the Commission will have significant resource implications both in terms of the size of the team in certain areas and competencies that support the implementation of the strategic plan of the Commission. The operating model for the Commission that resulted from the process can be illustrated as follows:



This model created the following divisions: core enforcement work conducted through Cartels, Market Conduct, Mergers & Acquisitions, Market Inquiries (newly established division) and Advocacy divisions; this work is supported by the Economic Research Bureau division (providing economic expertise) and the Legal Services Division (providing legal expertise). The Finance and Corporate Services divisions provide shared services/corporate services like finance, human capital and information and communications technology, and other corporate support services. The Office of the Commissioner provides coordination and specialised support in various areas, including corporate governance, strategy, communication, stakeholder relations, and international relations. The current organisational structure is illustrated below:



The Commission is led by the Commissioner who is the Accounting Authority, supported by three Deputy Commissioners appointed in terms of the Competition Act. The Commission has ten (10) divisions that support and drive the execution of the mandate of the Commission.

Strategy 2025-2030 may necessitate a review of the organisational structure to take into account the need to capacitate the Commission to respond with greater agility to the new priorities of the 7th Administration while also responding to the changing environment within which the Commission is conducting its work. A well-designed structure ensures that specialised expertise and skills are strategically aligned with priority areas. This alignment will allow the Commission to respond dynamically to market developments, undertake timely investigations, and conduct robust market inquiries essential for detecting and addressing anti-competitive practices. By structuring teams to focus on key priorities, the competition authority can optimise its resources and enhance accountability within its ranks. Furthermore, this strategic design allows for flexible resource allocation, so teams can adapt as new priorities emerge, especially in response to evolving market conditions, such as increased digitalisation.

(b) Capital and Human Capital Management

The Commission's human capital strategy focused on strengthening organisational capability, workforce stability, and institutional resilience in support of the Commission's strategic mandate. Human capital initiatives were implemented across the full human resource value chain, with emphasis on employee retention, transformation, talent acquisition, learning and development, employee wellness, and effective labour relations. The Commission made measurable progress in stabilising its workforce, advancing equity objectives, and investing in critical skills development. At the core of this is a compelling employee value

proposition that attracts the best talent, ensures engagement of these employees and ensures high retention rates of talented and high performing employees. The Commission has conducted a number of interventions related to career management, including skills audit of the current employees and designed measures to improve succession planning/ career mobility. This investment in talent development ensures that staff are not only equipped to investigate and resolve competition issues in traditional sectors but are also prepared to tackle emerging challenges in areas like digital markets and artificial intelligence.

Investment in learning and development remains a cornerstone of the Commission's human capital strategy, supporting both professional development and long term capability building. Key programmes progressed in 2025/26 financial year included the investigator development programme, legal development programme, and graduate development programme, with increasing emphasis on blended and e learning delivery. Investing in these learning leads to innovation, better retention, a stronger employer brand, and a workforce prepared for the future. Talent development identifies future leaders and supports smooth succession and stability.

In line with its talent management framework, the Commission has also sought to improve its performance management system to create high-performing agency where high-performing employees are recognised, rewarded and motivated. The remuneration and rewards framework of the Commission is one of the key tenets of the employee value proposition of the Commission and is currently being refined to ensure effectiveness. The work done at the Commission is specialised, requiring a deep understanding of competition law and economics coupled with applying these in different operational areas of the Commission. To that end, it is quite challenging to source people who are appropriately skilled and ready to operate effectively within the Commission's environment. A succession pool is required to ensure business continuity and sustainable high-performance levels at the Commission. Thus, developing the framework and its effective implementation remains key for organisational success.

Talent acquisition during the 2025/26 financial year was guided by a staggered recruitment strategy aligned to the Commission's strategic plan. Recruitment efforts prioritised critical operational areas, including market inquiries, mergers and acquisitions, and research-intensive functions. Through strategic sourcing, the Commission recorded a notable improvement in its vacancy rate, which improved significantly throughout the year. This improvement reflects strengthened workforce planning and execution. The talent acquisition strategy was implemented in close alignment with the Commission's employment equity objectives. Employment equity targets were embedded into recruitment planning to ensure that appointment decisions supported transformation outcomes, particularly at senior and scarce skills levels. The strategy also took into account the recently revised employment equity regulations and sector specific targets. The talent acquisition strategy was measured, targeted and risk aware, contributing to improved vacancy stabilisation, and sustained workforce capability.

Another policy framework that has been developed and its implementation will be intensified is the Human Capital Development Strategy (HCDS). The HCDS is intended to ensure that the Commission optimises its human capital, resources, systems, and processes to be an effective agency. Furthermore, it aims to ensure that the Commission builds strong, reliable, and integrated information management systems underpinned by the best in-range IT platform, which allows data to be securely shared, stored, and managed. The Commission will continue implementing this strategy during the 2025 – 2030 cycle.

The Commission prioritises continuous employee engagement, linked with broader employee wellness strategy, which adopted a holistic approach on addressing employee mental, physical, emotional, and financial wellbeing. The Commission's wellness initiatives include wellness days, targeted health interventions, mental health awareness programmes, career days, men's mental health bootcamp, woman mental health retreat and the appointment of an onsite psychologist. These interventions are aimed at fostering a supportive work environment and strengthening employees' sense of care and belonging within the organisation.

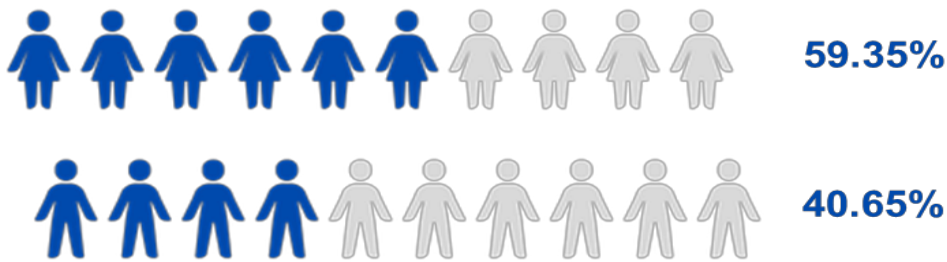
The Commission believes that the mental health and well-being of its staff is key to its success and sustainability, hence the establishment of the Mental Wellness Policy, which is aimed at ensuring that the Commission promotes and maintains the mental wellbeing of all employees. The goal of the policy is to:

- (a) To build and maintain a workplace environment and culture that supports mental health and wellbeing and prevents discrimination (including bullying and harassment).
- (b) To increase employee knowledge and awareness of mental health and wellbeing issues and behaviours.
- (c) To reduce stigma around depression and anxiety in the workplace.
- (d) To facilitate employee's active participation in a range of initiatives that support mental health and wellbeing.

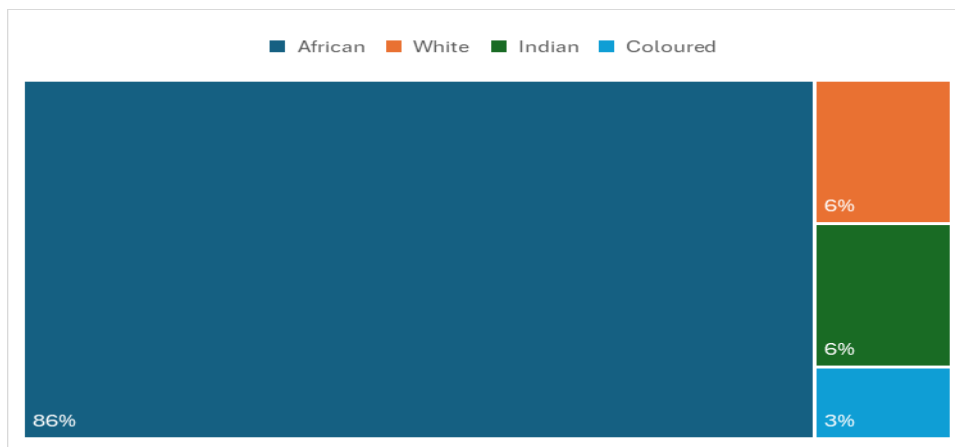
The Commission is implementing the policy, and employees are highly participating in various initiatives. The Commission will continue to look after and promote employees' mental well-being.

One of the key issues that the Commission continues to grapple with is building and maintaining a workplace that aligns with the requirements of equity, below is a summary of where the Commission is currently operating:

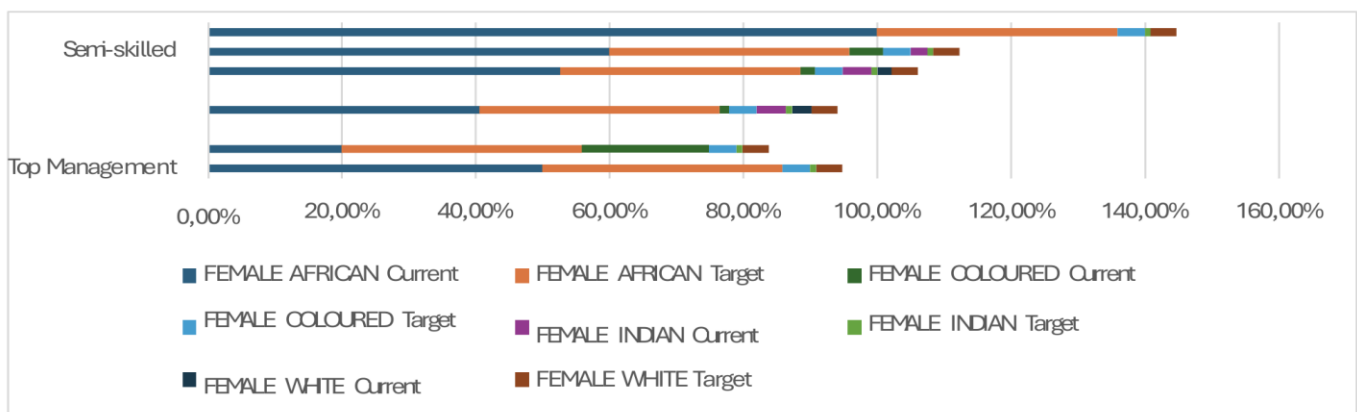
- Gender Profile of Employees



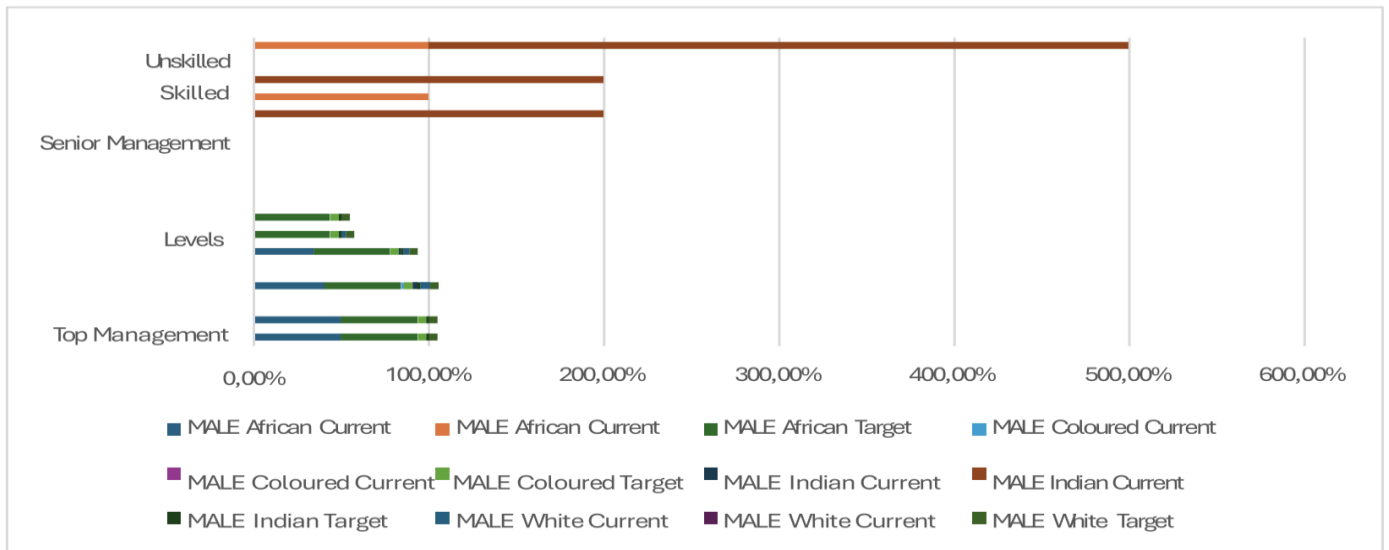
- Racial Profile of Employees



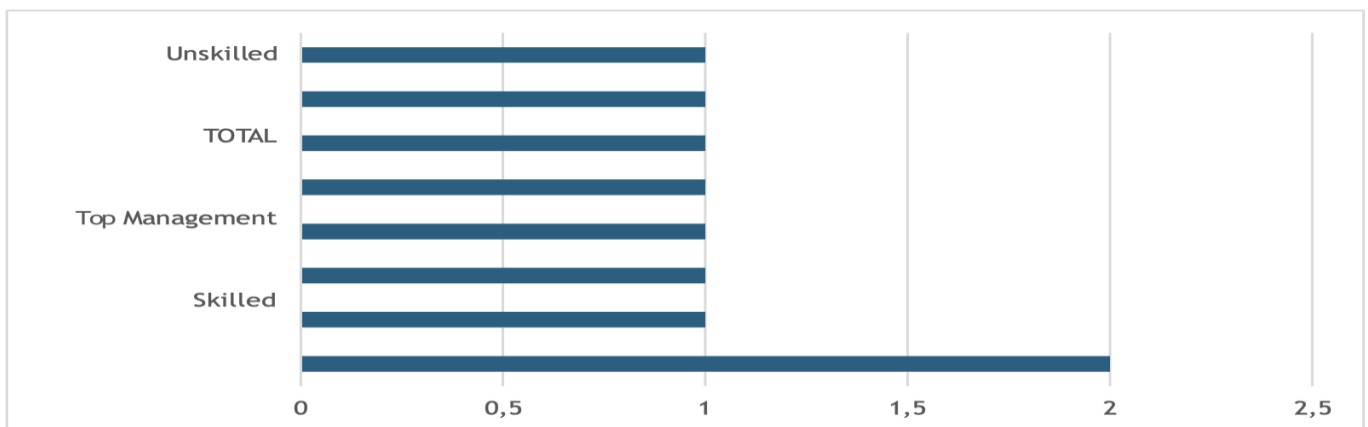
- Profile of Female



• Profile of Men



• People with Disabilities



In line with the Commission’s strategy to ensure employment equality through race and gender, particularly in leadership positions, the Commission has increased the number of African females in top management, from 0% in 2019/20 to 50% as of 2022 to date. On senior management positions, the Commission recorded 37,50% for African females in 2019/20, and this figure has increased 45% in 2022/23 and has regressed in 2023/24 to 40% with available vacancies to remedy the situation. Overall, the Commission’s proportion of the total male workforce was at 56% in 2019/20, and this shifted to a lower percentage of 55% and female workforce increased to 45% and to date (2024/25) overall female representation stands at 57% and males overall are at 43%. Therefore, there has been considerable improvement in the Commission’s gender equity targets.

B. Organisational Policies, Business Processes and Systems

(a) Information and Communication Technology (ICT)

A review of the Commission's information and communication technology environment was completed, which aimed to make proposals for modernising the Commission's infrastructure and services to effectively enable the organisation's work. This review informed the Commission's ICT strategy. This is a comprehensive and long-term strategy that aligns the Commission's technology infrastructure including hardware, software, networks, and services with its overarching business objectives. The ICT strategy incorporates a multi-year roadmap for effectively managing IT investments, enhancing operational efficiency, ensuring robust data security, and facilitating business growth through advanced technological solutions. These are articulated through a set of strategic initiatives linked to strategic goals of the Commission.

This strategy allows the Commission to leverage ICT, streamlining workflows, and reduce operational costs. It helps manage risks like data breaches or technology failures and provides a competitive edge by enabling adaptability and growth through technological improvement. Fully implementing this strategy shifts ICT from a support role to a strategic partner in achieving organisational objectives.

The Commission implemented a wide range of organisational, technological, and security-related interventions that strengthened its operational foundation and positioned it for the strategic ambitions of the 2025 - 20230 cycle. These initiatives were designed to modernise infrastructure, enhance governance, increase organisational efficiency, and prepare the Commission for a fully integrated, data driven, and technology enabled environment.

The Commission has modernised its ICT environment including core infrastructure, connectivity, licensing optimisation, and digital platforms. Some of the work done includes upgrading of internet connectivity, establishing a 24/7 Security Operations Centre to strengthen our cybersecurity capability, reviewed and rationalised its licensing model to be more cost optimised and role-based.

To improve the organisation's effectiveness, the Commission has adopted digital transformation and intelligent tools which are aimed at supporting and simplifying our internal workflows and knowledge sharing and management. These tools will enable seamless management of high volume data that the Commission handles. These foundational improvements ensure that the Commission has strengthened technological capability, improved operational readiness and a stable, future focused digital environment that supports its mandate, strategic goals and implementation of 2026/27 APP. The Commission will continue to digitalise its workflows and processes in 2026-27 to as articulated in the APP.

The interventions undertaken directly complement the work planned for 2026/27 financial year, especially the implementation of the Management Information System (MIS). Additional phases of the MIS will be

developed and implemented during 2026/27. The MIS is a seamless fully integrated and secure business system application with minimum customisation and was initiated to improve organisational performance. Its implementation presents several opportunities for the organisation including recording every activity a user does throughout a working day, in the order that work is done, all while labelling their activity correctly.

(b) Knowledge Management

In order for the Commission's employees to understand and comply with core legislative frameworks governing information such as POPIA, PAIA, and National Archives and Records Services Act, the Commission, through knowledge management initiative has conducted several training programs on the legislation that governs information management. This initiatives will ensure that employees of the Commission understand the standards that govern daily handling of confidential business data, merger documents, investigative material, and institutional knowledge. The training strengthens the collective ability to manage sensitive information responsibly by grounding employees in key policies that guide how records are created, classified, stored, shared, and retained across the Commission.

Given the high volume of information and the Commission's dependence on data to efficiently fulfill its mandate, the Commission has established the following structures within knowledge management and registry operations:

- (a) Records Management as a Governance Tool: Compliance with records and information management legislation: National Archives and Records Services Act, Promotion of Access to Information Act, Promotion of Administrative Justice Act, Protection of Personal Information Act, Competition Act, Electronic Communications and Transactions Act.
- (b) Case administration support. Compliance with Competition Act Rules.
- (c) Fee Income administration in compliance with the Competition Act Rules.
- (d) The unit operated optimally during Covid 19 despite the increased workload.
- (e) Provision of Information Resource Centre (IRC) services to support case work.

C. Facilities and Security

Significant progress was made in enhancing occupational health and safety (OHS), security, and operational efficiency. The establishment of the OHS committee and development of OHS policy statement and various policies and procedures laid a foundation for a safe and healthy working environment. Targeted hazard identification and risk assessment activities, such as ergonomics and indoor air quality assessments, were also introduced to manage workplace health risks proactively.

The Commission has completed its process of acquiring and refurbishing additional office space within the dtic campus. The additional space provide employees with safe and conducive workspace to carry out the mandate of the Commission. On a regular basis, the Commission undertakes quarterly awareness

programmes on health and safety in the workplace coupled with quarterly emergency evacuation drill meant to keep the levels of awareness high amongst the staff members. Furthermore, an alliance was formed with the dtic tenants to align safety protocols across the dtic campus, reinforcing a cohesive approach to security and health standards. These initiatives collectively underscore the organisation's commitment to a secure and supportive work environment.

The Commission continues to maintain its collaborative relationship with the State Security Managers Forum under the State Security Agency. This collaboration enhances the Commission's assets and personnel security.

D. Financial Management and Sustainability

The Commission has consistently achieved a unqualified audit with no material findings on both financial and performance audit, illustrating good decision-making and governance structures. Sound financial management is essential for the Commission to operate effectively within the fiscal constraints of government. Prudent financial management is a foundation, requiring careful budgeting, spending, and tracking to ensure resources are allocated optimally to fulfil the authority's mandate. By adopting stringent cost-saving practices, the authority aligns with government-wide cost-containment measures to minimise non-essential spending, thereby ensuring that resources are concentrated on critical priorities like enforcement, compliance, and advocacy. Such measures also help prevent budget overruns, allowing for more strategic use of available funds.

Managing reserves is another crucial aspect, as maintaining adequate reserves enables the Commission to mitigate risks associated with unexpected costs, ensuring stability and continuity in its operations. This fiscal discipline protects the Commission from potential financial shocks that impede its enforcement and regulatory activities. In parallel, effective cash flow management ensures that the authority can meet its obligations consistently and operate smoothly by balancing income with expenditures over the fiscal period. Furthermore, leveraging resources from other institutions where feasible amplifies the authority's capacity without escalating costs. By drawing external resources, the authority can access expertise and operational support that would otherwise require substantial investment, enhancing its ability to regulate effectively while adhering to sound financial principles. Together, these financial management strategies enable the Commission to maintain a sustainable operational model, reinforce financial discipline, and optimise its impact within the broader goals of public service efficiency and accountability.

Part C: Measuring our Performance

14. INSTITUTIONAL PERFORMANCE INFORMATION

14.1 Impact Statement

Impact Statement of the Commission	Significant contribution to competitive markets that results in reduced prices, increased industrialisation (resulting in more investments, increased jobs, etc) for improved participation of SMEs and firms owned by HDPs in the economy through agile enforcement, merger regulation and advocating for a pro-competition environment.
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14.2 Key Areas of Achievement for 2026/27

The Commission has defined the results it would focus on achieving in the year 2026/27, guided by strategy 2025 – 2030 as follows:

Commission’s understanding of relevant Outcome	Areas of contribution for the Commission	Interventions of the Commission
1. Improved competitiveness of markets and the economy in general.	<ul style="list-style-type: none"> Tracking concentration levels and trends in key markets of the economy and identifying areas for intervention including markets for DFIs to sponsor entry and scaling of rivals. 	<ul style="list-style-type: none"> Publication and advocacy on the biennial concentration report. Use of merger control to prevent lessening of competition in key markets. Fast-tracking of current enforcement cases that can contribute to the reduction of concentration levels in the economy. Identifying persistently high or increasingly concentrated markets for proactive enforcement, inquiries and advocacy to contribute to reduced concentration levels in identified priority markets.
	<ul style="list-style-type: none"> Contribution to the removal of barriers to entry (including 	<ul style="list-style-type: none"> Reviews of existing and development of new policies and legislation by highlighting competition issues and make proposals to improve impact of policies and legislation on competitiveness.

Commission's understanding of relevant Outcome	Areas of contribution for the Commission	Interventions of the Commission
	<ul style="list-style-type: none"> regulatory barriers), participation an expansion in the economy. Collaboration with DFIs and other entities to improve competitiveness of markets. 	<ul style="list-style-type: none"> Proactive identification of policies and legislation that create unfair barriers to the scaling of established challengers in priority sectors and the entry, participation and expansion particularly for SMEs and firms owned by HDPs. Proactive identification of non-regulatory barriers to the scaling of established challengers in priority sectors and the entry, participation and expansion in the economy particularly those affecting SMEs, firms owned by HDPs and industrialisation. Coordination with DFIs in areas where decisions and programs of the Commission have created an opportunity for entry, participation or expansion, and where targeted funding from DFIs can assist in sponsoring entry and scaling rivals, particularly in priority sectors.
<p>2. Reduction in the cost of doing business to support competition and industrialisation</p>	<ul style="list-style-type: none"> Contribution to the reduction of energy costs particularly industrial energy. Contribution to the reduction of cost and availability of freight, logistics and air travel. Contribute to reduction of cost of critical inputs. 	<ul style="list-style-type: none"> Advocacy to improve uptake of the current Block Exemption on Energy and improved monitoring to track outcomes and impact of the exemption. Fast-tracked investigation and litigation on complaints and cases related to access and cost of energy particularly for SMEs, firms owned by HDPs and industrial energy. Participation in the energy reform programme to ensure the design leads to price reductions, at national but also municipal level. Advocacy to improve uptake of the current Block Exemption on Ports & Rail and improved monitoring to track outcomes and impact of the exemption. Fast-tracked investigation and litigation on complaints and cases related to access and cost of freight and logistics for SMEs, firms owned by HDPs and industry. Proactive interventions to improve access and reduce cost of freight, logistics and air travel between areas where concern has been raised in the past. The Commission will fast-track conclusion of a case(s) related to critical inputs particularly those that affect SMEs, firms owned by HDPs and industrial players.

Commission's understanding of relevant dtic Outcomes	Areas of contribution for the Commission	Interventions of the Commission
		<ul style="list-style-type: none"> Proactive interventions to improve access and reduce cost of critical inputs, particularly those that affect SMEs, firms owned by HDPs and industrial players.
<p>3. Ease of doing business by reducing the friction to starting and running a business in South Africa.</p>	<ul style="list-style-type: none"> Reduction of merger thresholds to reduce compliance burden for Mergers and Acquisitions that fall below the thresholds. Improved agility of our enforcement, merger regulation and the other work of the Commission. 	<ul style="list-style-type: none"> Advocacy and implementation of revised thresholds for Mergers and Acquisitions. Improve certainty on merger regulation in relation to public interest provisions through guidelines and advocacy programs. Agile Merger Regulation: <ul style="list-style-type: none"> Completion of Phase 1 Mergers & Acquisitions, on average, in 15 days. Completion of Phase 2 Mergers and Acquisitions, on average in 45 days. Completion of Phase 3 Intermediate Mergers & Acquisitions in 60 days. Reduction in Turnaround times of Phase 3 Large mergers by a further 5%, 10% and 10% in 2026/27, 2027/28, and 2028/29 FY, respectively. Agile investigation of complaints to the Commission Agile investigation and litigation of Cartels Agile investigation and litigation of Market Conduct cases Agile Completion of Market Inquiries
<p>4. Reindustrialisation of the Economy to achieve faster growth.</p>	<ul style="list-style-type: none"> Use of the competition policy to improve competitiveness of priority sectors. 	<ul style="list-style-type: none"> Fastrack investigations and litigation of cases in sectors that have been prioritised by the dtic. Proactive interventions in sectors that have been prioritised by the dtic for industrialisation.
<p>5. Fast-tracking investment into the South African Economy</p>	<ul style="list-style-type: none"> Identification of possible amendments to the Competition Act or regulations to improve agility of the Commission. 	<ul style="list-style-type: none"> Identify and propose amendments to the Competition Act or Regulations.

Commission's understanding of relevant dtic Outcomes	Areas of contribution for the Commission	Interventions of the Commission
	<ul style="list-style-type: none"> Participation in multi-agency interventions of the dtic that seek to fast-track decisions. 	<ul style="list-style-type: none"> Participation of the Commission in the fusion centre to streamline decision-making that affect investments.
6. Transformation	<ul style="list-style-type: none"> Contribution to improved participation of SMEs and HDPs in the economy. 	<ul style="list-style-type: none"> Fast-tracking cases related to participation of SMEs and HDPs in the economy. Proactive interventions to improve participation of SMEs and HDPs in the economy.
	<ul style="list-style-type: none"> Contribution to improved ownership of shares by employees. 	<ul style="list-style-type: none"> Value of ESOPs in conditions imposed by the Commission. Number of employees covered by ESOPs Mergers and Acquisition Transactions.
	<ul style="list-style-type: none"> Contribution to the Transformation Fund 	<ul style="list-style-type: none"> Value of contribution to the Transformation Fund in conditions imposed in Mergers and Acquisition Transactions and other interventions of the Commission.
	<ul style="list-style-type: none"> Job Protection/Creation 	<ul style="list-style-type: none"> Number of jobs protected / created through conditions in Mergers and Acquisition Transactions and other interventions of the Commission.
	<ul style="list-style-type: none"> Contribution of Competition Policy to Consumer Savings. Value of Public Interest Commitments achieved in a year. 	<ul style="list-style-type: none"> Value of Consumer Savings achieved through the work of the Commission. Value of Public Interest Commitments achieved through the work of the Commission.
7. Contribution of Economic Policy to the economy of South Africa.		

14.3 Performance Optimisation Programs at the Commission

The following key projects are envisaged to improve organisational performance and ensure the Commission is able to realise the planned outcomes and impact as articulated in our Strategic Plan and APP:

Program	Description	Key Objectives	Implication
1. Pro-active cartel detection	The program will focus on cartel cases in public procurements.	<ul style="list-style-type: none"> • Timely detection of collusive tendering. • Successful completion and prosecution of collusive tendering cases. 	<ul style="list-style-type: none"> • Demonstrate agility and efficiency in doing the Commission's work.
2. Improved Case Management	The focus of the program is to improve the management of the portfolio of cases of the Commission.	<ul style="list-style-type: none"> • Improve oversight on the case portfolio of the Commission. • Provide timeous guidance and support to the investigation and litigation of cases. 	<ul style="list-style-type: none"> • This program will improve efficiency of decision-making on cases and will be managed through a monthly meeting of Commissioners with case teams and Divisional Management.
3. Improve Planning and Monitoring of Organisational Performance to achieve outcomes defined in the Strategic Plan 2025 – 2030	This program will focus on investment on planning, reporting and management of organisational performance in a more proactive and effective manner.	<ul style="list-style-type: none"> • Revision of the Organisational Performance Policy. • Development of a Procedure Manual to guide planning and reporting. • Acquisition and deployment of system to aid and support planning and reporting. 	<ul style="list-style-type: none"> • There is a need for more robust early warning system and improved coordination in the planning, monitoring and evaluation of the work of the Commission.
4. Impact Assessment and Monitoring	This program will focus on evaluation of the impact of the Commission with its outcomes likely to feed into the planning,	<ul style="list-style-type: none"> • Development of data collection tools for monthly reporting. • Half-yearly assessment of impact of programs. 	<ul style="list-style-type: none"> • The impact assessment should improve our prioritisation and resource allocation whilst also enabling us to see if our caseload will deliver on impact (and if not, how we adjust). This process will

Program	Description	Key Objectives	Implication
	reporting and evaluation of the work of the Commission.	<ul style="list-style-type: none"> • Three-year rolling reviews of impact. 	feed to planning, monitoring and evaluation of our work.
5. Employee Productivity and Performance Improvement	Definition and embedding of the key core competencies required to implement the strategy of the Commission.	<ul style="list-style-type: none"> • Review and finalisation of a competency framework for the Commission. • Application of the competency framework in talent acquisition, development and productivity review. • Review and finalisation. 	<ul style="list-style-type: none"> • Finalisation of competency framework will guide on required competencies, skills development and effective implementation of the Commission's priorities.
6. Develop the Proactive Work of the Commission to realise the Planned Outcomes	Development of major inter-divisional projects to proactively pursue the planned outcomes of the Commission.	<ul style="list-style-type: none"> • Development of plans and track the proactive work of the Commission. 	<ul style="list-style-type: none"> • Look at approximately three inter-divisional projects that deal with a theme/sector/another priority.
7. Improve Resource Efficiency of the Commission	Improve the sustainability of the Commission by developing programs for cost effectiveness of programs of the Commission and reviewing the funding model of the Commission.	<ul style="list-style-type: none"> • Review cost-effectiveness of programs of the Commission. • Review human capital adequacy for the delivery of programs. 	<ul style="list-style-type: none"> • Align with current budget allocation in the MTEF and anticipate further reductions.
8. Digitalisation of key functions of the Commission	Improve digitalisation of key processes at the Commission to improve user experience and agility of the Commission in the execution of its work.	<ul style="list-style-type: none"> • Development and approval of a plan for digitalisation. • Implementation of a digitalisation plan. • Quarterly reporting on the digitalisation program. 	<ul style="list-style-type: none"> • To improve effectiveness, efficiencies and accessibility of our work.

Program	Description	Key Objectives	Implication
9. Organisational Culture Improvement	Implementation a culture that support the realisation of the strategic plan of the Commission	<ul style="list-style-type: none"> Implementation of the culture strategy focusing at various levels of the organisation. 	<ul style="list-style-type: none"> Focus on embedding the new strategy.

The Commission will enhance its impact by rigorously implementing the prioritisation framework to optimise resource allocation across enforcement, market inquiry, merger regulation and advocacy activities. This involves systematically evaluating potential cases or interventions for enforcement, advocacy and market inquiry based on clearly defined criteria, including alignment with strategic priorities, likely impact on SMEs and HDPs, likelihood of successful prosecution, precedent-setting value, deterrent effect. By developing and consistently applying sophisticated screening tools and assessment matrices, the Commission will more effectively identify high-impact interventions while maintaining flexibility to respond to emerging competition concerns, particularly with respect to complaints and merger regulation. This data-driven approach to prioritisation of the Commission's work ensures that limited resources are directed toward enforcement activities and initiatives that will generate the greatest competition and public benefit and establish important legal precedents.

Building on lessons from previous merger evaluations, the Commission can strengthen its merger regulation approach, particularly regarding public interest conditions. By documenting best practices and challenges from past cases, the Commission can refine its methodologies for crafting more effective and enforceable conditions. Similarly, the Commission has had case precedents on enforcement matters which were concluded with forward looking public interest conditions aligned with achievement of the strategic priorities particularly with respect to participation of SMEs and HDPs in the economy. The Commission has significantly improved its monitoring and compliance to ensure that merged entities fulfil their public interest commitments, creating tangible benefits for local industries and entrepreneurs. The Commission's monitoring and compliance has extended to monitoring remedies and conditions arising from both enforcement and market inquiries.

Market inquiries are a powerful strategic tool for comprehensive market analysis and reform. By selecting sectors with significant competition concerns and consumer impact, as guided by the prioritisation framework, the commission can conduct in-depth investigations that illuminate structural barriers, identify anti-competitive practices, and develop evidence-based recommendations. To produce actionable findings, these inquiries should incorporate advanced economic analysis, stakeholder engagement, and international best practices. The resulting recommendations can range from specific behavioural remedies to broader regulatory reforms, providing a solid foundation for market-wide interventions that address systemic competition issues. The Commission has established the Market Inquiry division which is responsible for conducting market inquiries and monitoring remedies recommended from the completed inquiries. The Market Inquiry division is still at its infancy stage and has been capacitated to execute its mandate given its strategic nature and anticipated impact.

The Commission has established a multi divisional program monitor compliance and implementation of conditions and remedies imposed by the Commission focusing from its enforcement, merger regulation and

market inquiries. This will ensure effective oversight and compliance with the conditions and remedies, and to demonstrate measurable outcomes.

Maximising impact requires competently combining enforcement, regulatory, and advocacy instruments while building institutional capability. The Commission has strategically sequenced interventions, using enforcement actions to address immediate violations while pursuing regulatory reforms and advocacy initiatives to address underlying market dynamics. This coordinated approach requires developing strong internal capabilities, including specialised technical expertise, robust data analytics capacity, and effective stakeholder engagement skills. Additionally, establishing formal coordination mechanisms with sector regulators ensures consistent policy implementation across the regulatory landscape. By investing in staff development, technology infrastructure, and knowledge management systems, while maintaining high standards of governance and transparency, the Commission will build the credibility and capabilities needed to promote competitive markets that benefit all stakeholders effectively.

The Commission has set tighter targets for enforcement matters to assist in lowering the cost of doing business by fast tracking fewer complex matters, to demonstrate commitment to a capable and ethical state and to facilitate timely impact on consumers and business. In order to achieve the more efficient enforcement targets would require increased number of employees and investment in capacity building and training, which requires agility and substantial financial resources.

15. PROGRAMME RESOURCE CONSIDERATIONS

Below are the Commission's budgetary estimates for the Medium-Term Expenditure Framework (MTEF) for the next three-year period of its Strategic Plan. These estimates are drawn from the intended work programs of the Commission for the period, as per the 2025-2030 Strategic Plan and APP.

A. Expenditure Analysis

The maintenance of the administrative activities of the Commission is human resource based. This is evident from the high financial requirements for human resources and administrative activities. The implementation of the Commission's policy on strategic priority sectors and prioritisation will further require substantial input during this period.

The following table summarises the projected estimates by strategic goal:

EXPENDITURE ANALYSIS AND ESTIMATES

EXPENDITURE PER STRATEGIC GOAL	2026/27 ANNUAL BUDGET	2027/28 ANNUAL BUDGET	2028/29 ANNUAL BUDGET
Goal 1: To stimulate economic dynamism by fostering competitive markets that result in inclusive economic growth.	R330 773 441	R344 853 576	R358 960 664
Goal 2: To contribute to economic transformation through competition policy interventions that facilitate market entry, enable business expansion, and promote effective market participation for diverse economic actors.	R55 128 907	R57 475 596	R59 826 777
Goal 3: To provide responsive leadership in competition policy and law through collaboration and leveraging advanced digital tools and professional expertise.	R165 386 720	R172 426 788	R179 480 332
TOTAL	R551 289 068	R574 755 960	R598 267 774

The Mergers & Acquisitions, Market Conduct, Market Inquiries, Cartels, Legal Services, Economic Research Bureau and Advocacy are the core programs directly involved with the implementation of the Competition Act. Nonetheless, support activities spend more than 80% of their resources offering support to the core activities. The financial resources have been allocated to ensure that the Commission focuses on the identified strategic areas. As is customary, financial revisions are made during the financial year, and any adjustments are effected accordingly. The following table summarises the projected expenditure per division:

EXPENDITURE PER MAIN ITEM

TOTAL EXPENDITURE PER MAIN ITEM	2026/27 ANNUAL BUDGET	2027/28 ANNUAL BUDGET	2028/29 ANNUAL BUDGET
Human Resources	R376 547 138	R394 474 456	R413 933 439
Premises & Equipment	R37 680 379	R38 946 440	R39 916 206
Other Operational	R12 970 716	R13 406 532	R13 740 355
Research & Information	R5 853 006	R6 049 667	R6 200 304
IT and system Development	R1 034 100	R1 068 846	R1 095 460
Educational Awareness	R3 896 813	R4 027 746	R4 128 037

Case Related Costs	R87 301 201	R90 234 521	R92 481 360
Capital Expenditure	R517 050	R534 423	R547 730
Depreciation	R7 238 700	R7 481 920	R7 668 220
Other Programme Costs	R18 249 965	R18 531 409	R18 556 662
TOTAL	R551 289 068	R574 755 960	R598 267 774

B. Revenue

REVENUE	2026/27 ANNUAL BUDGET	2027/28 ANNUAL BUDGET	2028/29 ANNUAL BUDGET
Mergers and Acquisitions	R79 013 000	R83 753 780	R92 129 158
Government Grant	R452 987 000	R471 065 000	R485 705 000
Interest Received	R19 289 068	R19 937 180	R20 433 616
TOTAL	551 289 068	R574 755 960	R598 267 774

C. Materiality Framework

Due to the nature of the Commission's business (not capital-intensive), the best indicator concerning business activity is expenditure. There is a lower risk in revenue as 80% of the revenue is made up of voted funds. For this reason, we have selected 0.5% of expenditure regarding this framework. The implications, based on the estimated expenditure, are summarised as follows:

MATERIALITY	%	2026/27	2027/28	2028/29
Expenditure		R551 289 068	R574 755 960	R598 267 774
Materiality	0,50%	R2 756 445	R2 873 780	R2 991 339

16. ANNUAL PERFORMANCE PLAN

16.1 MTEF OUTCOMES, PERFORMANCE INDICATORS AND TARGETS

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
Strategic Goal 1: To stimulate economic dynamism by fostering competitive markets that result in inclusive economic growth											
1. Agile enforcement of the Competition Act for improved compliance. Demonstration of capable state and effective enforcement of the Competition Act.	1. Agile regulation of Mergers & Acquisitions in the economy.	M&A	1.	Average turnaround time for non-complex mergers investigations to reduce red tape.	16 days	12 days	14 days	≤19 days	≤15 days	≤15 days	≤15 days
			2.	Average turnaround time for complex mergers investigations to reduce red tape.	41 days	41 days	35 days	≤43 days	≤45 days	≤45 days	≤45 days
			3.	Average turnaround time for highly complex intermediate	58 days	56 days	51 days	≤57 days	≤60 days	≤60 days	≤60 days

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
Contribution to reduction in red tape.				mergers investigations to reduce red tape.							
	M&A	4.	Average turnaround time of highly complex large mergers investigations.	90 days	99 days	76 days	≤114 days	≤105 days	≤103 days	≤97 days	
	LSD & ERB	5.	Proposals on cross cutting regulatory reforms to remove barriers to competition.	N/A	N/A	N/A	N/A	1	1	1	
	M&A	6.	% reduction in turnaround times on merger assessment to reduce red tape.	N/A	N/A	N/A	≥5%	N/A	N/A	N/A	

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
	2. Effective monitoring of compliance with mergers & acquisitions and enforcement conditions and compliance with remedies from inquiries.	Cartels, MCD, MID & M&A.	7.	Impact assessment of enforcement actions by the Commission in line with the Competition Act.	N/A	4	4	2	2	2	2
2. Significant contribution to industrialisation and inclusive growth.	3. Efficient investigation of complaints and proactive work of the Commission.	MCD	8.	No. of market conduct complaints initiated in priority sectors in line with the Competition Act.	17	12	7	4	5	4	4

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
Effective Competition regulation to promote investments. Enforcement of the Competition Act to address the high costs of living, to remove barriers that hinder the inclusion of SMEs and HDPs, to improve access to upstream inputs and to contribute to		MCD	9.	% of Exemption Applications completed within 12 months to improve competitiveness in line with the Act.	N/A	N/A	N/A	1	100%	100%	100%
		MID	10.	No. of Market Inquiries initiated in the economy to ensure improved competition in the market.	N/A	2	1	1	1	1	2
		MID	11.	Commencement of a Market Inquiry to improve competition in the market.	N/A	N/A	N/A	N/A	1	1	1
		MID	12.	No. of completed Market Inquiries to improve competition in the market.	N/A	1	1	1	N/A	1	1

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
removal of concentration. To ensure competitive, transparent and efficient public procurement.		Cartels	13.	No. of cartel investigations completed to improve competition in markets.	28	28	62	22	30	30	30
			14.	% of cartel cases in public procurement completed within 06 months to reduce red tape.	N/A	N/A	N/A	N/A	≥ 80% of cartel cases in public procurement completed within 06 months.	≥ 80% of cartel cases in public procurement completed within 06 months.	≥ 80% of cartel cases in public procurement completed within 06 months.
	4. High success rates on prosecution of cases at the Tribunal and other courts	Cartels	15.	% of cartel enforcement cases won at the Tribunal.	100%	91.8%	100%	≥85%	≥85%	≥85%	≥85%
		LSD	16.	% of market conduct enforcement cases won at the Tribunal.	100%	100%	100%	≥75%	≥75%	≥80%	≥85%

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
		Cartels	17.	% of cartel enforcement cases won at the courts.	0%	0%	0%	≥85%	≥85%	≥85%	≥85%
		LSD	18.	% of market conduct enforcement cases won at the courts.	N/A	100%	N/A	≥75%	≥75%	≥75%	≥75%
		LSD	19.	% of merger decisions upheld by the Tribunal.	100%	100%	100%	≥80%	≥80%	≥80%	≥80%
		LSD	20.	% of merger decisions upheld by the.	100%	N/A	0%	≥80%	≥80%	≥80%	≥80%
		LSD & Cartels	21.	% interlocutory decisions upheld by the Tribunal.	100%	100%	100%	≥65%	≥75%	≥75%	≥80%

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
		LSD & Cartels	22.	% of interlocutory decisions upheld by the courts.	50%	50%	100%	≥75%	≥75%	≥75%	≥80%
Strategic Goal 2: To contribute to economic transformation through competition policy interventions that facilitate market entry, enable business expansion, and promote effective market participation for diverse economic actors											
3. Participation of SMEs and firms owned by HDPs. Removal of regulatory barriers to entry and expansion.	5. Improved support for enterprises owned by women, youth, and people with disabilities, and enterprises operating in townships and rural areas.	Advocacy	23.	No. of advocacy programs to remove barriers to entry.	N/A	N/A	N/A	N/A	2	2	2
4. Improved dynamism and competitiveness of Markets.	6. Successful programs to deal with high-impact	ERB	24.	Assessment of the impact of competition policy on investments to	N/A	N/A	N/A	1	1	N/A	1

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets								
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period			
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28	2029/30
Collaboration with government to ensure competition law compliance. Removal of regulatory and non-regulatory barriers to entry.	competition concerns, barriers to entry in priority sectors, reduced cost of living and improved concentration levels in the economy.			inform evidence based policy.								
		Advocacy, ERB	25.	Removal of entry barriers through advocacy.	N/A	N/A	N/A	1	1	2	2	
		ERB	26.	Monitoring of cost of living drivers including administered prices.	N/A	2	2	2	2	2	2	
	7.	Advocate for pro-competition laws, policies, regulations and government programs in priority sectors.	Advocacy	27.	No. of policy submissions to ensure pro-competitive regulation.	N/A	N/A	N/A	2	2	2	2
	8.	Advocate for improved awareness,	Advocacy	28.	No. of awareness programs conducted to	N/A	N/A	N/A	3	3	3	4

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets								
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period			
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28	2029/30
	understanding and compliance with the Competition Act.			promote compliance with the Competition Act in line with section 21(1)(b).								
		LSD & ERB	29.	Guidelines issued to create greater certainty on compliance with the Competition Act.	2	4	2	1	2	2	2	
		ERB	30.	Impact assessment studies conducted in line with section 21A of the Competition Act.	1	1	1	1	2	2	2	
5. Improved collaboration to advance the objectives of the Competition Act.	9. Successful initiatives in collaboration with other dtic agencies to further the objectives of	Advocacy	31.	Collaborative awareness programs with government entities to ensure pro-competitive regulation.	N/A	N/A	N/A	2	1	1	1	

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
Thought leadership and effective global competition regulation.	the Competition Act.	ERB	32.	Collaboration across government to expand participation in digital markets.	N/A	N/A	N/A	1	2	1	1
	Contribution to improved trade under the AfCFTA.	10. Success initiatives in collaboration with international stakeholders.	ERB and OTC	33.	International collaboration to address competition related cross border trade issues.	N/A	4	1	2	2	2
Strategic Goal 3: To provide responsive leadership in competition policy and law through collaboration and leveraging advanced digital tools and professional expertise											
6. Effectiveness and well governed institution.	11. Improved agility of our business processes	Finance	34.	Average number of working days it takes to pay supplier invoices. ⁸	82.19%	77.68%	76.09%	100%	≤20 days	≤20 days	≤20 days

⁸ In 2025/26 financial year the Commission reported the target on 100% of supplier invoices paid within 20 business days, the Commission has revised the KPI in 2026/27 financial year to report on average number of working days it takes to pay supplier invoices.

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets							
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period		
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28
Building a capable, ethical and developmental state.	12. Compliance with laws, regulation, policies and processes applicable to the operations of the Commission.	Finance & OTC	35.	Unqualified Audit	Clean Audit	Clean Audit	Clean Audit	Clean Audit	Unqualified Audit Opinion	Unqualified Audit Opinion	Unqualified Audit Opinion
		Finance, CSD & OTC	36.	Contribution to Transformation.	N/A	N/A	N/A	Compliant BBEE certificate and regulated compliance	Level 3 B-BBEE compliant.	Level 3 B-BBEE compliant.	Level 3 B-BBEE compliant.
	13. Safe and conducive working environment for employees of the Commission.	CSD	37.	No. of programmes on occupational health and security awareness in line with relevant legislation and OHS standards.	4	4	4	4	4	4	4
	14. Digitalisation of key processes at the	CSD	38.	No. of digitalised key processes of the Commission.	N/A	N/A	N/A	1	3	2	2

Outcome	Outcome Indicator	Accountable Program	KPI No.	Annual Targets								
				KEY PERFORMANCE INDICATORS	Audited/ Actual performance			Estimated performance	MTEF Period			
					2022/23	2023/24	2024/25		2025/26	2026/27	2027/28	2029/30
	Commission for improved efficiency.											
7. Strengthened capability for efficiency and effectiveness. Building a capable, ethical and developmental state.	15. Highly engaged, productive and high performing employees of the Commission.	CSD	39.	% of HR spend on learning and development.	2.16	1%	1%	1%	1%	1%	1%	
		CSD	40.	% retention rate of staff complement.	98.4%	98%	98.57%	≥90%	≥90%	≥90%	≥90%	
		CSD & OTC	41.	% of staff reached through training initiatives.	68.6%	70%	74%%	≥65%	≥65%	≥70%	≥70%	
		CSD	42.	No of jobs created for graduates.	15	17	N/A	22	N/A	22	N/A	

16.2 2026-2027 OUTCOMES, KEY PERFORMANCE INDICATORS AND QUARTERLY TARGETS

OUTCOME	OUTCOME INDICATOR	ACCOUNTABLE PROGRAM	KPI NO	KEY PERFORMANCE INDICATOR	ANNUAL TARGET	Q1	Q2	Q3	Q4
Strategic Goal 1: To stimulate economic dynamism by fostering competitive markets that result in inclusive economic growth.									
1. Agile enforcement of the Competition Act for improved compliance. Demonstration of capable state and effective enforcement of the Competition Act. Contribution to reduction in red tape.	1. Agile regulation of Mergers & Acquisitions in the economy.	M&A	1.	Average turnaround time for non-complex mergers investigations to reduce red tape.	≤15 days	≤15 days	≤15 days	≤15 days	≤15 days
			2.	Average turnaround time for complex mergers investigations to reduce red tape.	≤45 days	≤45 days	≤45 days	≤45 days	≤45 days
			3.	Average turnaround time for highly complex intermediate mergers investigations to reduce red tape.	≤60 days	≤60 days	≤60 days	≤60 days	≤60 days
			4.	Average turnaround time of highly complex large Mergers investigations.	≤105 days	≤105 days	≤105 days	≤105 days	≤105 days
		LSD & ERB	5.	Proposals on cross cutting regulatory reforms to remove barriers to competition.	1	N/A	N/A	1	N/A
		2. Effective monitoring compliance with mergers & acquisitions and enforcement	Cartels, MCD, MID & M&A.	6.	Impact assessment of enforcement actions by the Commission in line with the Competition Act.	2	N/A	1	N/A

OUTCOME	OUTCOME INDICATOR	ACCOUNTABLE PROGRAM	KPI NO	KEY PERFORMANCE INDICATOR	ANNUAL TARGET	Q1	Q2	Q3	Q4
	conditions and remedies from inquiries.								
2. Significant contribution to industrialisation and inclusive growth. Effective Competition regulation to promote investments. Enforcement of the Competition Act to address the high costs of living, to remove barriers that hinder the inclusion of SMEs and HDPs, to improve access to upstream inputs	3. Efficient investigation of complaints and proactive work of the Commission.	MCD	7.	No. of market conduct complaints initiated in priority sectors in line with the Competition Act.	5	1	1	1	2
		MCD	8.	% of Exemption Applications completed within 12 months to improve competitiveness in line with the Competition Act.	100%	100%	100%	100%	100%
		MID	9.	No. of Market Inquiries initiated in the economy to ensure improved competition in the market.	1	N/A	N/A	N/A	1 initiation of Market Inquiry in manufacturing/ industrial sector.
		MID	10.	Commencement of a Market Inquiry to improve competition in the market.	1	N/A	N/A	N/A	1 Franchise Market Inquiry to remove barriers to entry and enable participatio

OUTCOME	OUTCOME INDICATOR	ACCOUNTABLE PROGRAM	KPI NO	KEY PERFORMANCE INDICATOR	ANNUAL TARGET	Q1	Q2	Q3	Q4
<p>and to contribute to removal of concentration.</p> <p>To ensure competitive, transparent and efficient public procurement.</p>									n of Women and Youth in the economy.
		Cartels	11.	No. of cartel investigations completed to improve competition in markets.	30	8	8	7	7
		Cartels	12.	% of cartel cases in public procurement completed within 06 months to reduce red tape.	≥80% of cartel cases in public procurement completed within 06 months.	≥80%	≥80%	≥80%	≥80%
	4. High success rates on prosecution of cases at the Tribunal and other courts.	Cartels	13.	% of cartel enforcement cases won at the Tribunal in line with the Competition Act.	≥85%	≥85%	≥85%	≥85%	≥85%
		LSD	14.	% of market conduct enforcement cases won at the Tribunal.	≥85%	≥85%	≥85%	≥85%	≥85%
		Cartels	15.	% of cartel enforcement cases won at the courts.	≥80%	≥80%	≥80%	≥80%	≥80%
		LSD	16.	% of market conduct enforcement cases won at the courts.	≥80%	≥80%	≥80%	≥80%	≥80%
		LSD	17.	% of merger decisions upheld by the Tribunal.	≥80%	≥80%	≥80%	≥80%	≥80%

OUTCOME	OUTCOME INDICATOR	ACCOUNTABLE PROGRAM	KPI NO	KEY PERFORMANCE INDICATOR	ANNUAL TARGET	Q1	Q2	Q3	Q4
		LSD	18.	% of merger decisions upheld by the courts.	≥80%	≥80%	≥80%	≥80%	≥80%
		LSD & Cartels	19.	% interlocutory decisions upheld by the Tribunal.	≥75%	≥75%	≥75%	≥75%	≥75%
		LSD & Cartels	20.	% of interlocutory decisions upheld by the courts.	≥75%	≥75%	≥75%	≥75%	≥75%
Strategic Goal 2: To contribute to economic transformation through competition policy interventions that facilitate market entry, enable business expansion, and promote effective market participation for diverse economic actors.									
3. Participation of SMEs and firms owned by HDPs. Removal of regulatory barriers to entry and expansion.	5. Improved support for enterprises owned by women, youth, and people with disabilities, and enterprises operating in townships and rural areas.	Advocacy	21.	No. of advocacy programs to remove barriers to entry.	2	1 advocacy program conducted to remove regulatory barriers to entry associated with Municipality by-laws for ownership and operation of Spaza Shops.	N/A	1 advocacy program conducted to remove regulatory barriers to entry and expansion Personal Care Products market to enable entry and expansion of SMEs and firms	N/A

OUTCOME	OUTCOME INDICATOR	ACCOUNTABLE PROGRAM	KPI NO	KEY PERFORMANCE INDICATOR	ANNUAL TARGET	Q1	Q2	Q3	Q4
								owned by HDPs.	
4. Improved dynamism and competitiveness of Markets. Collaboration with government to ensure competition law compliance. Removal of regulatory and non-regulatory barriers to entry.	6. Successful programs to deal with high-impact competition concerns, barriers to entry in priority sectors, reduced cost of living and improved concentration levels in the economy.	ERB	22.	Assessment of the impact of competition policy on investments to inform evidence based policy.	1	N/A	N/A	N/A	1
		Advocacy & ERB	23.	Removal of entry barriers through advocacy.	2	N/A	N/A	N/A	2
		ERB	24.	Monitoring of cost of living drivers including administered prices.	2	N/A	1	N/A	1
	7. Advocate for pro-competition laws, policies, regulations and government programs in priority sectors.	Advocacy	25.	No. of policy submissions to ensure pro-competitive regulation.	2	N/A	1	N/A	1
	8. Advocate for improved awareness,	Advocacy	26.	No. of awareness programs conducted to promote compliance with the	3	1 collaborative work with	2 awareness program	N/A	N/A

OUTCOME	OUTCOME INDICATOR	ACCOUNTABLE PROGRAM	KPI NO	KEY PERFORMANCE INDICATOR	ANNUAL TARGET	Q1	Q2	Q3	Q4
	understanding and compliance with the Competition Act.			Competition Act in line with section 21(1)(b).		government and participation in Green Youth Indaba to contribute to participation of Youth in the economy.	on Block Exemptions, aimed at promoting exports. advocacy with National Treasury on competitive public procurement.		
		LSD & ERB	27.	Guidelines issued to create greater certainty on compliance with the Competition Act.	2	N/A	1	N/A	1
		ERB	28.	Impact assessment studies conducted in line with section 21A of the Competition Act.	2	1	N/A	N/A	1
5. Improved collaboration to advance the	9. Successful initiatives in collaboration	Advocacy	29.	Collaborative awareness programs with government entities to ensure pro-competitive regulation.	1	N/A	N/A	1	N/A

OUTCOME	OUTCOME INDICATOR	ACCOUNTABLE PROGRAM	KPI NO	KEY PERFORMANCE INDICATOR	ANNUAL TARGET	Q1	Q2	Q3	Q4
objectives of the Competition Act. Thought leadership and effective global competition regulation. Contribution to improved trade under the AfCFTA.	government to further the objectives of the Competition Act.	ERB	30.	Collaboration across government to expand participation in digital markets.	2	N/A	N/A	1	1
	10. Successful initiatives in collaboration with international stakeholders	ERB and OTC	31.	International collaboration to address competition related cross border trade issues.	2	N/A	N/A	1	1
Strategic Goal 3: To provide responsive leadership in competition policy and law through collaboration and leveraging advanced digital tools and professional expertise.									
6. Effectiveness and well governed institution. Building a capable, ethical and developmental state.	11. Improved agility of our business processes	Finance	32.	Average number of working days it takes to pay supplier invoices.	≤20 days	≤20 days	≤20 days	≤20 days	≤20 days
	12. Compliance with laws, regulation, policies and processes applicable to the operations	Finance & OTC	33.	Unqualified Audit.	Unqualified Audit Opinion.	N/A	Unqualified Audit Opinion.	N/A	N/A
		Finance, OTC & CSD	34.	Contribution to Transformation.	Level 3 B-BBEE compliant.	N/A	N/A	N/A	Level 3 B-BBEE compliant.

OUTCOME	OUTCOME INDICATOR	ACCOUNTABLE PROGRAM	KPI NO	KEY PERFORMANCE INDICATOR	ANNUAL TARGET	Q1	Q2	Q3	Q4
	of the Commission.								
	13. Safe and conducive working environment for employees of the Commission.	CSD	35.	No. of programmes on occupational health and security awareness in line with relevant legislation and OHS standards.	4	1	1	1	1
	14. Digitalisation of key processes at the Commission for improved efficiency.	CSD	36.	No. of digitalised key processes of the Commission.	3	1	1	1	N/A
7. Strengthened capability for efficiency and effectiveness.	15. Highly engaged, productive and high performing employees of the Commission	CSD	37.	% of HR spend on learning and development.	1%	N/A	N/A	N/A	1%
		CSD	38.	% retention rate of staff complement.	≥90%	≥90%	≥90%	≥90%	≥90%
		CSD & OTC	39.	% of staff reached through training initiatives.	≥65%	N/A	N/A	N/A	≥65%
Building a capable, ethical and developmental state.									

17. COMPETITION COMMISSION STRATEGIC RISKS

Risk, as it relates to our strategy, is the possibility of unforeseen circumstances or occurrences that could have an adverse impact on the execution of the Commission’s mandate, strategy, and strategic goals. It includes uncertainty that may result from both external (such as but not limited to regulatory changes or economic downturns) and internal (such as but not limited to operational inefficiencies) factors. The Commission frequently evaluates the external and internal environments to identify emerging risks. It uses a flexible framework that enables risk to be quickly reassessed when circumstances change. To detect risks early and modify a mitigation strategy appropriately, the Commission keeps lines of communication open with stakeholders and uses insights and real-time data to guide strategic modifications and risk assessments, making sure that decisions are grounded in the most recent information. For high-impact risks, we implement contingency plans that ensure an immediate response to unanticipated challenges. The Commission has witnessed that incorporating different techniques improves our resilience and adaptability by enabling it to better detect and manage risks in a constantly changing environment.

NO	RISK NAME	POTENTIAL CONTRIBUTING FACTORS OR ROOT CAUSE	CURRENT INTERNAL CONTROLS	RESIDUAL RISK SEVERITY	MITIGATION PLAN
1.	Policy and Regulatory Uncertainty	<p>1.Government Policy Changes: Frequent changes in government policies, including shifts in leadership or political priorities, can lead to uncertainty</p> <p>2.Conflicting Legal Interpretations can result in inconsistent decision-making and policy implementation.</p> <p>3.Challenges in Case Precedent: A lack of clear precedents or inconsistent judicial interpretations can contribute to uncertainty in how future cases might be handled.</p>	<p>1.Ongoing Engagement with Government and Stakeholders</p> <p>2. Legislative Reforms</p> <p>3.Clear Legal Guidelines and Policy Documents</p> <p>4.Training and Capacity Building</p> <p>5.Building a Comprehensive Body of Case Law</p>	HIGH RISK	<p>1. Ongoing Engagement with Government and Stakeholders: The Commission regularly engages with the government, other regulatory bodies, and stakeholders. This collaboration ensures that policy changes align with competition law objectives and provide clear guidance to businesses. By participating in policy formulation processes, the Commission can anticipate and address the impact of political shifts or policy changes.</p> <p>2. Legislative Reforms: The Commission works closely with the dtic to amend and update the Competition Act to ensure it remains relevant as and when necessary.</p>

NO	RISK NAME	POTENTIAL CONTRIBUTING FACTORS OR ROOT CAUSE	CURRENT INTERNAL CONTROLS	RESIDUAL RISK SEVERITY	MITIGATION PLAN
					<p>3. Clear Legal Guidelines and Policy Documents: The Competition Commission publishes guidelines and policy papers to provide clarity on how competition law should be interpreted and applied. These documents serve as a reference point for businesses, legal practitioners, and courts, reducing ambiguity around legal provisions and their application.</p> <p>4. Training and Capacity Building: Providing training programs for legal practitioners and the Commission staff helps ensure that the interpretation of competition law remains consistent across the board. This proactive approach fosters alignment in legal interpretations, reducing discrepancies in decision-making.</p> <p>5. Building a Comprehensive Body of Case Law: Over time, the Commission works on establishing a solid body of case law through carefully adjudicated cases that provide clear precedents. This body of work helps address future uncertainties by providing guidance on how similar cases should be approached.</p>
2.	Protracted Litigation	<p>1. Complex and Lengthy Legal Processes</p> <p>2. Strategic Litigation by Parties Involved (Deliberate Delay Tactics by defendants/parties involved)</p>	Prioritisation of cases: Commission Meetings.	HIGH RISK	1(a) Preliminary Assessments: To reduce unnecessary delays, implement a thorough initial case screening process to determine whether a case should proceed. Cases that lack sufficient

NO	RISK NAME	POTENTIAL CONTRIBUTING FACTORS OR ROOT CAUSE	CURRENT INTERNAL CONTROLS	RESIDUAL RISK SEVERITY	MITIGATION PLAN
		<p>3. Backlog of Cases: If the Competition Tribunal or other courts have a backlog of cases, it can result in delays in scheduling hearings and making decisions.</p>			<p>evidence or merit can be identified early to avoid resource-intensive proceedings.</p> <p>1 (b) Establish a robust case management system that sets timelines and milestones for each stage of a case can ensure the timely progression of investigations and litigation.</p> <p>1 (c) Develop standardised procedures and templates for handling complex cases, ensuring efficiency in gathering evidence, expert testimonies, and legal analysis.</p> <p>2 Provide clear guidelines for settlement negotiations, offering transparency regarding potential outcomes for companies who cooperate early in the process.</p> <p>3 Develop a clear framework for prioritising cases based on their urgency or importance. High-impact or high-profile cases.</p>
3.	<p>Perception of inadequate Independence of the Commission</p>	<p>Ineffective Public Reporting: If the Commission fails to regularly publish reports, maintain an open dialogue with the public, or provide evidence of its impartiality, it may contribute to the perception that it operates without accountability or transparency.</p>	<p>The Commission's website where reports are published on a regular basis.</p> <p>Regular updates on the work of the Commission on social platforms.</p> <p>Detailed Annual reports.</p> <p>Regular Stakeholder Engagement and Public Consultation through Advocacy work.</p>	<p>HIGH RISK</p>	<p>Develop a Structured Communication Plan: a clear communication plan outlining the frequency, content, and channels of communication will assist to mitigate this risk. This could include regular reports, press releases, public briefings, and social media updates. The communication plan should ensure that the public receives timely, relevant, and comprehensive information about the Commission's activities, decisions, and reasoning.</p>

NO	RISK NAME	POTENTIAL CONTRIBUTING FACTORS OR ROOT CAUSE	CURRENT INTERNAL CONTROLS	RESIDUAL RISK SEVERITY	MITIGATION PLAN
4.	Cross-Border and International Market Dynamics	1. The difficulty of detecting and proving cartel behaviour across multiple countries, combined with the lack of coordinated enforcement, enables these illicit activities to thrive.	Participation in organisation such as the International Competition Network (ICN), OECD, etc.	HIGH RISK	International Cooperation: Work with other competition authorities globally to address cross-border market concentration and ensure that multinational firms do not exploit their global dominance in ways that harm local competition.
5.	Geopolitical Risk	1. Trade Wars and Protectionism 2. Sanctions and Diplomatic Tensions. 3. Regulatory Divergence Between Jurisdictions 4. Shifts in Global Trade Agreements: Changes in global trade rules, such as the potential collapse of multinational agreements like the WTO or trade pacts like the EU, can shift the competitive landscape.	International Cooperation and Coordination	HIGH RISK	Use the Antitrust Networks to collaborate through international organisations such as the ICN and the OECD's Competition Committee.
6.	Resource Constraints & Inadequate Capacity	1. Short supply of specialised expertise: economists and competition lawyers, and sectoral experts. 2. The struggle to attract and retain qualified professionals due to uncompetitive salaries.	Human capital recruitment strategy Learning and development programmes Revised organisational structure	HIGH RISK	Advocate for sufficient budget allocations from the government by demonstrating the value of competition law enforcement to the economy Invest in recruitment and retention strategies to attract and retain skilled professionals, including economists, legal experts, and investigators.

NO	RISK NAME	POTENTIAL CONTRIBUTING FACTORS OR ROOT CAUSE	CURRENT INTERNAL CONTROLS	RESIDUAL RISK SEVERITY	MITIGATION PLAN
		3. Lack of career advancement opportunities.			<p>Create a clear career development path and offer competitive compensation packages to enhance retention.</p> <p>Foster continuous professional development programs to ensure staff remain well-equipped to handle emerging market challenges.</p>
7.	Corruption or Unethical Conduct	1.Weak governance structures, insufficient oversight, and lack of robust policies to prevent conflicts of interest or unethical behaviour may allow corruption to persist.	Fraud Prevention Policy and Plan Awareness Campaigns.	HIGH RISK	<p>Develop a comprehensive code of ethics and conduct that clearly outlines expectations for staff behaviour, conflicts of interest, and reporting mechanisms for unethical conduct.</p> <p>Ensure that all staff members are trained on these ethical guidelines</p>
8.	Potential Loss of Public Trust on the Commission	<p>1.Perceived Lack of Transparency</p> <p>2. Failure to Address Public Concerns or Criticism: If the Commission fails to engage with or respond adequately to public concerns, criticisms, or feedback, it may be seen as disconnected from the public's interests.</p> <p>3. Negative Publicity or Scandals.</p>	<p>Proactive Communication and Media Relations.</p> <p>Public Education and Awareness Campaigns through Advocacy work.</p>	HIGH RISK	<p>Transparency through clear communication of decisions, Continuous assessment and improvement of the quality of our work and efficiency and review of consistency in enforcement.</p>
9.	Uncertainty on the Funding Allocation to the Commission	<p>Limited or Competing Public Funds</p> <p>Insufficient Strategic Planning or Long-Term Budgeting/Poor financial management or inefficient budgeting practices</p>	<p>Financial Management Policies</p> <p>Procurement Plans</p> <p>Budget allocations</p>	HIGH RISK	<p>Scenario planning, robust prioritisation and continuous improvement in planning and monitoring of implementation.</p> <p>Develop a multi-year financial requirement over a 3–5-year period.</p>

NO	RISK NAME	POTENTIAL CONTRIBUTING FACTORS OR ROOT CAUSE	CURRENT INTERNAL CONTROLS	RESIDUAL RISK SEVERITY	MITIGATION PLAN
					Align annual budgeting processes with long-term strategic goals. Ensure that the annual budget request reflects the commission’s strategic priorities, and that the funding allocation matches the planned objectives.
10.	Cybersecurity Threats and Data Breaches	<p>Inadequate Security Measures</p> <p>Poorly Managed User Access and Permissions</p> <p>Insufficient training on cybersecurity best practices or failure to foster a culture of security awareness can leave employees vulnerable to attacks such as phishing, spear-phishing, and other social engineering tactics.</p>	<p>IT Policies</p> <p>Training and awareness campaigns on cyber security</p>	HIGH RISK	<p>Implement robust cybersecurity measures, including encryption, firewalls, intrusion detection systems, and secure communication protocols.</p> <p>Regularly update and patch systems to protect against vulnerabilities.</p> <p>Conduct periodic security audits and penetration testing to identify and address potential weaknesses.</p> <p>Establish a clear incident response and disaster recovery plan.</p>

Part D: Technical Indicator Definition

18. TECHNICAL INDICATOR DEFINITIONS

1. Average turnaround time for non-complex mergers investigations to reduce red tape.	
Definition	<ul style="list-style-type: none"> The Commission classifies merger notifications into complexities, according to the complexity of the cases. Phase 1 investigations are non-complex, Phase 2 investigations are complex, while Phase 3 investigations are highly complex. Indicator 1 refers to the amount of time the Commission takes to make a decision in non-complex small and intermediate merger cases.
Source of data	<ul style="list-style-type: none"> Data Compilation Document (DCT)
Method of calculation/Assessment	<ul style="list-style-type: none"> The average turnaround time for indicators 1 is calculated by adding the time taken for decisions on all cases in each classification and dividing the total by the total number of cases decided. The time taken for decision is calculated as follows: <ul style="list-style-type: none"> The 'start date' for the calculation is the commencement of the Initial Period, as defined in the Rules for Proceedings in the CCSA. The time period for assessment thus starts on the first business day after receipt of the merger filing. The date on which the filing is received is the date of receipt recorded by Registry on the Merger Notice, Form CC4(1). The 'end date' for the calculation is the date on which (1) the Commission's decision is issued to the merger parties for small and intermediate mergers, and (2) the date on which the Commission's recommendation is filed with the Competition Tribunal for large mergers. The date on which the Commission's decision is issued is recorded on Form CC15 or CC16 in small and intermediate mergers. The date on which the Commission's recommendation is filed with the Tribunal is recorded on Form CC17 in large mergers. The turnaround time for a case is the total number of business days from the start date until the end date and excludes the day on which the merger was filed. However, if a Notice of Incomplete merger filing (Form CC13(2)) or a Notice of false or misleading Information (Form CC13(4)) is issued, the turnaround times are calculated from the business day following the receipt of a Complete Filing or Corrected Information. The annual target should not be calculated as an average of all the quarterly average turnaround times as using an average of an average will give an incorrect result. The annual target should be calculated as explained above but using a database of all the cases decided in that financial year. The target is met if the outcome is less than or equal to the service standard.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A

Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> The target is met if the outcome is less than or equal to the average turnaround time.
Indicator responsibility	<ul style="list-style-type: none"> M&A

2. Average turnaround time for complex mergers investigations to reduce red tape.	
Definition	<ul style="list-style-type: none"> The Commission classifies merger notifications into phases, according to the complexity of the cases. Phase 1 investigations are non-complex, Phase 2 investigations are complex, while Phase 3 investigations are highly complex. Indicator 2 refers to the amount of time the Commission takes to make a decision in complex small and intermediate merger cases.
Source of data	<ul style="list-style-type: none"> DCT
Method of calculation/Assessment	<ul style="list-style-type: none"> The Average Turnaround time for indicators 2 is calculated by adding the time taken for decisions on all cases in each classification and dividing the total by the total number of cases decided. The time taken for decision is calculated as follows: <ul style="list-style-type: none"> The 'start date' for the calculation is the commencement of the Initial Period, as defined in the Rules for Proceedings in the CCSA. The time period for assessment thus starts on the first business day after receipt of the merger filing. The date on which the filing is received is the date of receipt recorded by Registry on the Merger Notice, Form CC4(1). The 'end date' for the calculation is the date on which (1) the Commission's decision is issued to the merger parties for small and intermediate mergers, and (2) the date on which the Commission's recommendation is filed with the Competition Tribunal for large mergers. The date on which the Commission's decision is issued is recorded on Form CC15 or CC16 in small and intermediate mergers. The date on which the Commission's recommendation is filed with the Tribunal is recorded on Form CC17 in large mergers. The turnaround time for a case is the total number of business days from the start date until the end date and excludes the day on which the merger was filed.

	<ul style="list-style-type: none"> ○ However, if a Notice of Incomplete merger filing (Form CC13(2)) or a Notice of false or misleading Information (Form CC13(4)) is issued, the turnaround times are calculated from the business day following the receipt of a Complete Filing or Corrected Information. ● The annual target should not be calculated as an average of all the quarterly average turnaround times as using an average of an average will give an incorrect result. The annual target should be calculated as explained above but using a database of all the cases decided in that financial year. The target is met if the outcome is less than or equal to the service standard.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> ● Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> ● The target is met if the outcome is less than or equal to the average turnaround time.
Indicator responsibility	<ul style="list-style-type: none"> ● M&A

3. Average turnaround time for highly complex intermediate mergers investigations to reduce red tape.	
Definition	<ul style="list-style-type: none"> ● The Commission classifies merger notifications into phases, according to the complexity of the cases. Phase 1 investigations are non-complex, Phase 2 investigations are complex, while Phase 3 investigations are highly complex. ● Indicator 3 refers to the amount of time the Commission takes to make a decision in highly complex small and intermediate merger cases.
Source of data	<ul style="list-style-type: none"> ● DCT
Method of calculation/Assessment	<ul style="list-style-type: none"> ● The Average Turnaround time for indicator 3 is calculated by adding the time taken for decisions on all cases in each classification and dividing the total by the total number of cases decided. ● The time taken for decision is calculated as follows: <ul style="list-style-type: none"> ○ The 'start date' for the calculation is the commencement of the Initial Period, as defined in the Rules for Proceedings in the CCSA. The time period for assessment thus starts on the first business day after receipt of the merger filing. ○ The date on which the filing is received is the date of receipt recorded by Registry on the Merger Notice, Form CC4(1).

	<ul style="list-style-type: none"> ○ The ‘end date’ for the calculation is the date on which (1) the Commission’s decision is issued to the merger parties for small and intermediate mergers, and (2) the date on which the Commission’s recommendation is filed with the Competition Tribunal for large mergers. ○ The date on which the Commission’s decision is issued is recorded on Form CC15 or CC16 in small and intermediate mergers. ○ The date on which the Commission’s recommendation is filed with the Tribunal is recorded on Form CC17 in large mergers. ○ The turnaround time for a case is the total number of business days from the start date until the end date and excludes the day on which the merger was filed. ○ However, if a Notice of Incomplete merger filing (Form CC13(2)) or a Notice of false or misleading Information (Form CC13(4)) is issued, the turnaround times are calculated from the business day following the receipt of a Complete Filing or Corrected Information. <ul style="list-style-type: none"> ● The annual target should not be calculated as an average of all the quarterly average turnaround times as using an average of an average will give an incorrect result. The annual target should be calculated as explained above but using a database of all the cases decided in that financial year. The target is met if the outcome is less than or equal to the service standard.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> ● Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> ● The target is met if the outcome is less than or equal to the average turnaround time.
Indicator responsibility	<ul style="list-style-type: none"> ● M&A

4. Average turnaround time of highly complex large mergers investigations.	
Definition	<ul style="list-style-type: none"> The Commission classifies merger notifications into phases, according to the complexity of the cases. Phase 1 investigations are non-complex, Phase 2 investigations are complex, while Phase 3 investigations are highly complex. Indicator 4 refers to the amount of time the Commission takes to make a decision in highly complex large merger cases.
Source of data	<ul style="list-style-type: none"> DCT
Method of calculation/Assessment	<ul style="list-style-type: none"> The Average Turnaround time for indicator 4 is calculated by adding the time taken for decisions on all cases in each classification and dividing the total by the total number of cases decided. The time taken for decision is calculated as follows: <ul style="list-style-type: none"> The 'start date' for the calculation is the commencement of the Initial Period, as defined in the Rules for Proceedings in the CCSA. The time period for assessment thus starts on the first business day after receipt of the merger filing. The date on which the filing is received is the date of receipt recorded by Registry on the Merger Notice, Form CC4(1). The 'end date' for the calculation is the date on which (1) the Commission's decision is issued to the merger parties for small and intermediate mergers, and (2) the date on which the Commission's recommendation is filed with the Competition Tribunal for large mergers. The date on which the Commission's decision is issued is recorded on Form CC15 or CC16 in small and intermediate mergers. The date on which the Commission's recommendation is filed with the Tribunal is recorded on Form CC17 in large mergers. The turnaround time for a case is the total number of business days from the start date until the end date and excludes the day on which the merger was filed. However, if a Notice of Incomplete merger filing (Form CC13(2)) or a Notice of false or misleading Information (Form CC13(4)) is issued, the turnaround times are calculated from the business day following the receipt of a Complete Filing or Corrected Information. The annual target should not be calculated as an average of all the quarterly average turnaround times as using an average of an average will give an incorrect result. The annual target should be calculated as explained above but using a database of all the cases decided in that financial year. The target is met if the outcome is less than or equal to the service standard.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> The target is met if the outcome is less than or equal to the average turnaround time.

Indicator responsibility	<ul style="list-style-type: none"> • M&A
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5. Proposals on cross cutting regulatory reforms to remove barriers to competition.	
Definition	<ul style="list-style-type: none"> • The indicator refers to the Commission’s proposals to reviews and amendments of regulations and legislation aimed at reducing red tape.
Source of data	<ul style="list-style-type: none"> • LSD & ERB
Method of calculation/Assessment	<ul style="list-style-type: none"> • Achievement of this target is denoted by the approval of a report by the Commission Meeting/EXCO on proposed reforms on legislation and regulations.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	Quarterly and Annual
Desired Performance	Actual performance meets targeted performance.
Indicator responsibility	LSD and ERB

6. Impact assessment of enforcement actions by the Commission in line with the Competition Act.	
Definition	<ul style="list-style-type: none"> • The Commission can approve mergers subject to certain conditions being met by the merging parties; or can impose remedies which the merging parties must fulfil. • The Commission can also complete enforcement investigations (including cartels) and exemption applications subject to certain conditions being met by the parties; or can impose remedies and fines which the parties must fulfil. • The Commission also recommend remedies and conditions following completion of market inquiries. • The indicator refers to the monitoring of the implementation of such conditions or remedies and reporting on the outcomes of the Commission's interventions from its enforcement, merger and market inquiry activities.
Source of data	<ul style="list-style-type: none"> • Consolidated conditions monitoring report.
Method of calculation/Assessment	<ul style="list-style-type: none"> • All cases approved with conditions or remedies are collected on a divisional database on completion of the cases. • The Commission also collect and record all conditions and remedies from completed enforcement and market inquiries. • Achievement of this target is denoted by a report to the Commission Meeting/EXCO reporting on conditions compliance monitoring as regards the immediately preceding quarter. • The report must be submitted to Commission Meeting/EXCO within the month following the end of the immediately preceding quarter. For example, the Quarterly Report for Conditions imposed in Q1 (April – June in FYx), must be submitted before the end of July in FYx.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> • Cartels, MCD, MID, & M&A.

7. No. of market conduct complaints initiated in priority sectors in line with the Competition Act	
Definition	<ul style="list-style-type: none"> • The KPI refers to the number of market conduct investigations initiated, which fall within the Commission’s pre-determined priority sectors (see section on prioritisation within the APP) as well as other sectors linked to the priority sectors. • The Commission pro-actively initiate complaints where it has reasonable suspicion that there is a contravention of the Competition Act.
Source of data	<ul style="list-style-type: none"> • DCT
Method of calculation/Assessment	<ul style="list-style-type: none"> • The initiation of a case is evidenced minutes of the Commission or EXCO meeting’s decision to initiate a complaint. • A list of initiated cases is kept in the Data Compilation Template (DCT) of the division.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A

Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> MCD

8. % of Exemption Applications completed within 12 months to improve competitiveness in line with the Act.	
Definition	<ul style="list-style-type: none"> The Competition Act provides for firms to apply to the Commission for exemption of compliance to the Competition Act, under specific circumstances. The granting of exemptions can unlock investments, contribute to exports promotion. An exemption application is 'completed' once the Commission or Exco Meeting has taken a decision to grant or not to grant an exemption to the applicant/s. The Commission Meeting's decision is then published in the Government Gazette.
Source of data	<ul style="list-style-type: none"> DCT
Method of calculation/Assessment	<ul style="list-style-type: none"> The achievement of the target is evidenced by minutes of the Commission or Exco meeting, which indicate the Commission's decision to either grant or refuse to grant an exemption. Annual target is the collective of quarterly achievements.
Assumptions	That the Commission has received and completed exemption applications within the applicable period.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> MCD

9. No. of Market Inquiries initiated in the economy to ensure improved competition in the market.	
Definition	<ul style="list-style-type: none"> Market inquiry refer to market inquiries contemplated in section 43A of the Competition Act.

	<ul style="list-style-type: none"> Market inquiries are a formal inquiry into the general state of competition in a market, the levels of concentration in and structure of a market for particular goods or services, without necessarily referring to the conduct or activities of any particular named firm which the Commission undertakes under provisions in the Competition Act.
Source of data	<ul style="list-style-type: none"> MID
Method of calculation/Assessment	<ul style="list-style-type: none"> The achievement of the indicator is determined by the decision of the Commission or EXCO Meeting to initiate a market inquiry, recorded in the minutes of the meeting.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> MID

10. Commencement of a Market Inquiry to improve competition in the market.

Definition	<ul style="list-style-type: none"> The commencement of a market inquiry refers to launching of a market inquiry which would be undertaken in the relevant the relevant period.
Source of data	<ul style="list-style-type: none"> MID
Method of calculation/Assessment	<ul style="list-style-type: none"> The achievement of the indicator is denoted by the approval of the publication of the final terms of reference signalling commencement of a market inquiry by the Commission or EXCO meeting, recorded in the minutes of the meeting.
Assumptions	N/A

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> MID

11. No. of cartel investigations completed to improve competition in markets.	
Definition	<ul style="list-style-type: none"> The target refers to cartel cases which the Commission has decided to refer to the Tribunal for prosecution and cases which the Commission has decided to non-refer. A case can also be completed through settlement that complete a case. High impact investigation refers to cartel cases that have positive impact on SMEs, HDPs, markets, other firms and consumers.
Source of data	<ul style="list-style-type: none"> DCT
Method of calculation/Assessment	<ul style="list-style-type: none"> The achievement of the target is evidenced by minutes of the Commission meeting to refer or non-refer cartel cases to the Tribunal. The achievement of the target is also evidenced by minutes of the Commission meeting approving a settlement that complete a case. Quarterly targets are achieved by completing number of investigations targeted for that quarter. Annual target is achieved by completing number of investigations targeted for that year.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> Cartels

12. % of cartel cases in public procurement completed within 06 months to reduce red tape.	
Definition	<ul style="list-style-type: none"> • The target refers to cartel cases which involves procurement of public/government goods and services through a tender system. • Completion of cartel cases in public procurement occurs when the Commission has decided to refer to the cases to the Tribunal for prosecution and cases which the Commission has decided to non-refer. • Cases can also be completed through settlement that complete a case.
Source of data	<ul style="list-style-type: none"> • DCT
Method of calculation/Assessment	<ul style="list-style-type: none"> • Of the cartel cases in public procurement completed in the quarter, what percentage was completed within 06 Months. • 6 months is calculated from the initial date of the complaint as stipulated in the Competition Act, to the date of the decision, starting with complaints filed in April 2026. • The achievement of the target is evidenced by minutes of the Commission/Exco meeting to refer or non-refer cartel cases in public procurement to the Tribunal. • The achievement of the target is also evidenced by minutes of the Commission/Exco meeting approving a settlement that complete a case.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • The target is met if the outcome is equal or more than the target percentage.
Indicator responsibility	<ul style="list-style-type: none"> • Cartels

13. % of cartel enforcement cases won at the Tribunal.

Definition	<ul style="list-style-type: none"> Winning means, the relief sought by the Commission is upheld partially or in full or variation thereof by the Tribunal or the courts. The indicators refer to the percentage of cartel cases, where a final decision of the Tribunal and or the courts has been attained, which the Commission wins within the financial year. This definition excludes cases which are under appeal or review at the time of reporting, i.e. a Tribunal or other court decisions in favour or against the Commission cannot be counted if it is under appeal or review at the time or reporting) or within a reasonable time after issuing of the judgment. The indicator includes all enforcement cases (excludes mergers and market inquiries) completed through litigation and settlement agreements confirmed by the Tribunal or courts.
Source of data	<ul style="list-style-type: none"> DCT & Tribunal
Method of calculation/Assessment	<ul style="list-style-type: none"> The indicator is determined from the number of final Tribunal or court orders issued (excluding cases under appeal or review at the time of reporting) where enforcement cases were under litigation. The indicator is calculated quarterly, results from the Tribunal or courts must denote actual wins/losses as at the end of the quarter calculated as a percentage. The annual result must denote actual wins/losses as at year- end for the FY, and not as a cumulative result of the quarterly performance. Where the Commission case is partially upheld by the Tribunal or other courts this target is met.
Assumptions	<ul style="list-style-type: none"> That the hearing will be held, and judgments issued within the period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> Cartels & LSD

14. % of market conduct enforcement cases won at the Tribunal.

<p>Definition</p>	<ul style="list-style-type: none"> • Winning means, the relief sought by the Commission is upheld partially or in full or variation thereof by the Tribunal or the courts. • The indicators refer to the percentage of market conduct cases, where a final decision of the Tribunal and or the courts has been attained, which the Commission wins within the financial year. • This definition excludes cases which are under appeal or review at the time of reporting, i.e. a Tribunal or other court decisions in favour or against the Commission cannot be counted if it is under appeal or review at the time or reporting) or within a reasonable time after issuing of the judgment. • The indicator includes all enforcement cases (excludes mergers and market inquiries) completed through litigation and settlement agreements confirmed by the Tribunal or courts.
<p>Source of data</p>	<ul style="list-style-type: none"> • DCT & Tribunal
<p>Method of calculation/Assessment</p>	<ul style="list-style-type: none"> • The indicator is determined from the number of final Tribunal or court orders issued (excluding cases under appeal or review at the time of reporting) where enforcement cases were under litigation. • The indicator is calculated quarterly, results from the Tribunal or courts must denote actual wins/losses as at the end of the quarter calculated as a percentage. • The annual result must denote actual wins/losses as at year- end for the FY, and not as a cumulative result of the quarterly performance. • Where the Commission case is partially upheld by the Tribunal or other courts this target is met.
<p>Assumptions</p>	<ul style="list-style-type: none"> • That the hearing will be held, and judgments issued within the period under review.
<p>Disaggregation of Beneficiaries (where applicable)</p>	<p>N/A</p>
<p>Spatial Transformation (where applicable)</p>	<p>N/A</p>
<p>Reporting cycle</p>	<ul style="list-style-type: none"> • Quarterly and Annually
<p>Desired Performance</p>	<ul style="list-style-type: none"> • The indicator denotes percentage of achievement greater than, or equal to the target.
<p>Indicator responsibility</p>	<ul style="list-style-type: none"> • Cartels & LSD

15. % of cartel enforcement cases won at the courts.	
Definition	<ul style="list-style-type: none"> • Winning means, the relief sought by the Commission is upheld partially or in full or variation thereof by the Tribunal or the courts. • The indicators refer to the percentage of cartel cases, where a final decision of the Tribunal and or the courts has been attained, which the Commission wins within the financial year. • This definition excludes cases which are under appeal or review at the time of reporting, i.e. a Tribunal or other court decisions in favour or against the Commission cannot be counted if it is under appeal or review at the time or reporting) or within a reasonable time after issuing of the judgment. • The indicator includes all enforcement cases enforcement (excludes mergers and market inquiries) completed through litigation and settlement agreements confirmed by the Tribunal or courts.
Source of data	<ul style="list-style-type: none"> • DCT & Tribunal
Method of calculation/Assessment	<ul style="list-style-type: none"> • The indicator is determined from the number of final Tribunal or court orders issued (excluding cases under appeal or review at the time of reporting) where enforcement cases were under litigation. • Orders of the Tribunal/courts are accessible to the general public, and the Commission keeps records thereof. • The indicator is calculated quarterly, results from the Tribunal or courts must denote actual wins/losses as at the end of the quarter calculated as a percentage. • The annual result must denote actual wins/losses as at year- end for the FY, and not as a cumulative result of the quarterly performance. • Where the Commission case is partially upheld by the Tribunal or other courts this target is met.
Assumptions	<ul style="list-style-type: none"> • That the hearing will be held, and judgments issued within the period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> • Cartels & LSD

16. % of market conduct enforcement cases won at the courts.	
Definition	<ul style="list-style-type: none"> • Winning means, the relief sought by the Commission is upheld partially or in full or variation thereof by the Tribunal or the courts. • The indicators refer to the percentage of market conduct cases, where a final decision of the Tribunal and or the courts has been attained, which the Commission wins within the financial year. • This definition excludes cases which are under appeal or review at the time of reporting, i.e. a Tribunal or other court decisions in favour or against the Commission cannot be counted if it is under appeal or review at the time or reporting) or within a reasonable time after issuing of the judgment. • The indicator includes all enforcement cases enforcement (excludes mergers and market inquiries) completed through litigation and settlement agreements confirmed by the Tribunal or courts.
Source of data	<ul style="list-style-type: none"> • DCT & Tribunal
Method of calculation/Assessment	<ul style="list-style-type: none"> • The indicator is determined from the number of final Tribunal or court orders issued (excluding cases under appeal or review at the time of reporting) where enforcement cases were under litigation. • Orders of the Tribunal/courts are accessible to the general public, and the Commission keeps records thereof. • The indicator is calculated quarterly, results from the Tribunal or courts must denote actual wins/losses as at the end of the quarter calculated as a percentage. • The annual result must denote actual wins/losses as at year- end for the FY, and not as a cumulative result of the quarterly performance. • Where the Commission case is partially upheld by the Tribunal or other courts this target is met.
Assumptions	<ul style="list-style-type: none"> • That the hearing will be held, and judgments issued within the period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> • Cartels & LSD

17. % of merger decisions upheld by the Tribunal.

Definition	<ul style="list-style-type: none"> • The indicators refer to the percentage of the Commission’s decisions on contested Large Mergers, reconsideration applications, prior implementation cases and merger reviews which are upheld at the Tribunal and at the courts. • This definition excludes cases which are under appeal or review in the courts at the end of the reporting period. i.e., a Tribunal or CAC decision in favour or against the Commission cannot be counted if it is under appeal or review at the time of reporting or within a reasonable time after issuing of the judgment. • This definition includes cases where the Commission recommendation/decision is subsequently amended through (a) negotiations between the Commission and parties and ultimately approved by the Tribunal, and (b) amended through a decision by the Tribunal or the courts. • The indicator includes cases completed through litigation and settlement agreements confirmed by the Tribunal or courts.
Source of data	<ul style="list-style-type: none"> • DCT & Tribunal
Method of calculation/Assessment	<ul style="list-style-type: none"> • The achievement of the indicator is evidenced by the decision of the Tribunal and/or the courts which pertain to mergers taken within the reporting period. • The indicator is calculated quarterly, results from the Tribunal or courts must denote actual wins/losses as at the end of the quarter calculated as a percentage. • The annual result must denote actual wins/losses as at year- end for the FY, and not as a cumulative result of the quarterly performance. • Where the Commission case is partially upheld by the Tribunal or other courts this target is met.
Assumptions	<ul style="list-style-type: none"> • That the hearing will be held, and judgments issued within the period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> • LSD

18. % of merger decisions upheld by the courts.	
Definition	<ul style="list-style-type: none"> • The indicators refer to the percentage of the Commission’s decisions on contested Large Mergers, reconsideration applications, prior implementation cases and merger reviews which are upheld at the Tribunal and at the courts. • This definition excludes cases which are under appeal or review in the courts at the end of the reporting period. i.e., a Tribunal or CAC decision in favour or against the Commission cannot be counted if it is under appeal or review at the time of reporting or within a reasonable time after issuing of the judgment. • This definition includes cases where the Commission recommendation/decision is subsequently amended through (a) negotiations between the Commission and parties and ultimately approved by the Tribunal, and (b) amended through a decision by the Tribunal or the courts. • The indicator includes cases completed through litigation and settlement agreements confirmed by the Tribunal or courts.
Source of data	<ul style="list-style-type: none"> • DCT & Tribunal
Method of calculation/Assessment	<ul style="list-style-type: none"> • The achievement of the indicator is evidenced by the decision of the Tribunal and/or the courts which pertain to mergers taken within the reporting period. • The indicator is calculated quarterly, results from the Tribunal or courts must denote actual wins/losses as at the end of the quarter calculated as a percentage. • The annual result must denote actual wins/losses as at year- end for the FY, and not as a cumulative result of the quarterly performance. • Where the Commission case is partially upheld by the Tribunal or other courts this target is met.
Assumptions	<ul style="list-style-type: none"> • That the hearing will be held, and judgments issued within the period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> • LSD

19. % interlocutory decisions upheld by the Tribunal.	
Definition	<ul style="list-style-type: none"> • The indicator refers to the percentage of the Commission’s decisions on interlocutory applications on, including cartels, enforcement and mergers upheld at the Tribunal and at the courts. • This definition is limited to interlocutory applications that may have a strategic impact on a case such as exception applications, jurisdictional challenges, dismissal applications, and reviews excludes process applications/considerations such as discovery, extensions. • The indicators exclude cases which are under appeal or review in the courts at the end of the reporting period. i.e., a Tribunal or CAC decision in favour or against the Commission cannot be counted if it is under appeal or review at the time of reporting or within a reasonable time after issuing of the judgment. • This definition includes cases where the Commission recommendation/decision is subsequently amended through (a) negotiations between the Commission and parties and ultimately approved by the Tribunal, and (b) amended through a decision by the Tribunal or the courts. • Matters completed through settlement agreements are also included.
Source of data	<ul style="list-style-type: none"> • DCT & Tribunal
Method of calculation/Assessment	<ul style="list-style-type: none"> • The achievement of the indicator is evidenced by the decision of the Tribunal and/or the courts which pertain to interlocutory applications taken within the reporting period. • The indicator is calculated quarterly, results from the Tribunal or courts must denote actual wins/losses as at the end of the quarter calculated as a percentage. • The annual result must denote actual wins/losses as at year- end for the FY, and not as a cumulative result of the quarterly performance. • Where the Commission case is partially upheld by the Tribunal or other courts this target is met.
Assumptions	<ul style="list-style-type: none"> • That the hearing will be held, and judgments issued within the period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> • LSD & Cartels

20. % of interlocutory decisions upheld by the courts.	
Definition	<ul style="list-style-type: none"> • The indicator refers to the percentage of the Commission’s decisions on interlocutory applications on, including cartels, enforcement and mergers upheld at the Tribunal and at the courts. • This definition is limited to interlocutory applications that may have a strategic impact on a case such as exception applications, jurisdictional challenges, dismissal applications, and reviews excludes process applications/considerations such as discovery, extensions. • The indicators exclude cases which are under appeal or review in the courts at the end of the reporting period. i.e., a Tribunal or CAC decision in favour or against the Commission cannot be counted if it is under appeal or review at the time of reporting or within a reasonable time after issuing of the judgment. • This definition includes cases where the Commission recommendation/decision is subsequently amended through (a) negotiations between the Commission and parties and ultimately approved by the Tribunal, and (b) amended through a decision by the Tribunal or the courts. • Matters completed through settlement agreements are also included.
Source of data	<ul style="list-style-type: none"> • DCT & Tribunal
Method of calculation/Assessment	<ul style="list-style-type: none"> • The achievement of the indicator is evidenced by the decision of the Tribunal and/or the courts which pertain to interlocutory applications taken within the reporting period. • The indicator is calculated quarterly, results from the Tribunal or courts must denote actual wins/losses as at the end of the quarter calculated as a percentage. • The annual result must denote actual wins/losses as at year- end for the FY, and not as a cumulative result of the quarterly performance. • Where the Commission case is partially upheld by the Tribunal or other courts this target is met.
Assumptions	<ul style="list-style-type: none"> • That the hearing will be held, and judgments issued within the period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> • LSD & Cartels

21. No. of advocacy programs to remove barriers to entry.	
Definition	<ul style="list-style-type: none"> • The Commission is proactive in advocacy work aimed at supporting enterprises owned by women, youth, and people with disabilities, and enterprises operating in townships and rural area. • The indicator refers reporting on the interventions, including research, outreach, awareness, education & training initiatives conducted with women, youth, and people with disabilities, and enterprises in townships and rural areas. • The indicator also refers to implementation of the findings/outcomes/recommendations from the studies conducted with women, youth, and people with disabilities, and enterprises in townships and rural areas.
Source of data	<ul style="list-style-type: none"> • Advocacy
Method of calculation/Assessment	<ul style="list-style-type: none"> • Achievement of this target is denoted by a report to the Commission Meeting/EXCO reporting on interventions by the Commission on reduction and/or removal of regulatory barriers to entry. • The Commission's interventions must have been conducted in applicable quarters with set targets. • The report must be submitted to Commission Meeting/EXCO within the month following the end of the immediately preceding quarter. For example, the Report for on interventions/initiatives conducted in Q1 (April – June in FYx), must be submitted before the end of July in FYx. • Annual target is a collective of the initiatives conducted in year 2026/27.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> • Advocacy

22. Assessment of the impact of competition policy on investments to inform evidence based policy.	
Definition	<ul style="list-style-type: none"> The Commission is proactive in research work and studies aimed identifying areas of concentration within the economy and recommending the appropriate interventions. The indicator refers the research on concentration, including research reports, publications, amongst others, aimed at monitoring concentration in the economy.
Source of data	<ul style="list-style-type: none"> ERB
Method of calculation/Assessment	<ul style="list-style-type: none"> The achievement of this indicator is evidenced by a report on research conducted to monitor concentration of the economy noted at the Commission or EXCO Meeting.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> ERB

23. No. of projects on concentration levels, programs to remove entry barriers, and the impact of the Commission's interventions in priority sectors.	
Definition	<ul style="list-style-type: none"> The KPI refers to the Commission's work targeted at reducing concentration and removing entry barriers in priority sectors. The work that the Commission would undertake include research, workshops, outreach programs, education and training aimed at removing entry barriers.
Source of data	<ul style="list-style-type: none"> Advocacy & ERB
Method of calculation/Assessment	<ul style="list-style-type: none"> The achievement of this indicator is evidenced by a report noted at the Commission or EXCO Meeting.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> Advocacy & ERB

24. Monitoring of cost of living drivers including administered prices.	
Definition	<ul style="list-style-type: none"> • The Commission conduct research and analysis on various products/sectors to contribute to reduction in high cost of living, including monitoring cost of living and prices of essential goods and services. • The indicator refers to the Commission's efforts in monitoring cost of living in South Africa, including research and studies on prices of several goods and services.
Source of data	<ul style="list-style-type: none"> • ERB
Method of calculation/Assessment	<ul style="list-style-type: none"> • The achievement of this indicator is evidenced by a report on cost of living noted at the Commission or EXCO Meeting. • Annual target is achieved by collective performance of each quarter.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> • ERB

25. No. of policy submissions to ensure pro-competitive regulation.	
Definition	<ul style="list-style-type: none"> • The Commission is proactive in advocacy work aimed at ensuring that laws, policies and regulations are aligned with the Competition Act. • The indicator refers reporting on the interventions, including research, policy submissions, outreach, awareness, education & training initiatives conducted with government to ensure alignment and pro-competitive landscape.
Source of data	<ul style="list-style-type: none"> • Advocacy
Method of calculation/Assessment	<ul style="list-style-type: none"> • Achievement of this target is denoted by a report to the Commission Meeting/EXCO reporting on interventions by the Commission. • Annual achievement is the collective achievement from each quarter. • The report must be submitted to Commission Meeting/EXCO within the month following the end of the immediately preceding quarter. For example, the Report on interventions/initiatives conducted in Q1 (April – June in FYx), must be submitted before the end of July in FYx
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> • Advocacy

26. No. of awareness programs conducted to promote compliance with the Competition Act in line with section 21(1)(b).	
Definition	<ul style="list-style-type: none"> • The Commission is proactive in advocacy work aimed at ensuring that awareness and compliance with the Competition Act. • The Commission conduct advocacy interventions to encourage competition and competition law compliance in several markets. • The indicator refers reporting on the interventions, including outreach, awareness, education & training initiatives conducted with public and private sector to ensure there is awareness and compliance with the Competition Act, including awareness of Block Exemptions. • The indicator refers to the Commission’s advocacy and research interventions in priority on competition issues, including input pricing in the energy value chain; agriculture, agri processing and food; healthcare; digital markets and AI; retail, industrial sector industrial sector and logistics value chain. • The indicator refers reporting on the interventions, including amongst others, research, outreach, awareness, education & training initiatives.
Source of data	<ul style="list-style-type: none"> • Advocacy
Method of calculation/Assessment	<ul style="list-style-type: none"> • Achievement of this target is denoted by a report to the Commission Meeting/EXCO reporting on interventions by the Commission. • Annual achievement is the collective achievement from each quarter. • The report must be submitted to Commission Meeting/EXCO within the month following the end of the immediately preceding quarter. For example, the Report for on interventions/initiatives conducted in Q1 (April – June in FYx), must be submitted before the end of July in FYx.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A

Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> Advocacy

27. Guidelines issued to create greater certainty on compliance with the Competition Act.

Definition	<ul style="list-style-type: none"> The Commission develops and publishes guidelines and practice notes to encourage competition and competition law compliance and provide investor certainty. Guidelines and practice notes are detailed explanatory directives on the Commission’s enforcement approach to any aspect of the Competition Act. This includes revisions to existing Guidelines and practice notes and issuing new Guidelines and practice notes.
Source of data	<ul style="list-style-type: none"> LSD & ERB
Method of calculation/Assessment	<ul style="list-style-type: none"> The attainment of the target is denoted by approval of the Guidelines or practice notes at the Commission Meeting or EXCO. Annual achievement is the collective of quarterly achievements.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> LSD & ERB

28. Impact assessment studies conducted in line with section 21A of the Competition Act.

Definition	<ul style="list-style-type: none"> Impact Assessment Studies are economic studies which have been undertaken by the Commission to measure the impact of its work on markets or regulation in terms of section 21A of the Competition Act and improve decision-making.
Source of data	<ul style="list-style-type: none"> ERB

Method of calculation/Assessment	<ul style="list-style-type: none"> The achievement of the indicator is denoted by an impact assessment report which has been noted at the Commission Meeting or EXCO meeting. Annual achievement is the collective of quarterly achievements.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> ERB

29. Collaborative awareness programs with government entities to ensure pro-competitive regulation.	
Definition	<ul style="list-style-type: none"> The Commission is proactive in collaborating with regulators, government and other stakeholders, including dtic agencies in order to contribute into achieving key government priorities. The indicator refers reporting on collaborative work conducted with stakeholders to contribute into achieving government priorities.
Source of data	<ul style="list-style-type: none"> Advocacy
Method of calculation/Assessment	<ul style="list-style-type: none"> Achievement of this target is denoted by a report to the Commission Meeting/EXCO reporting on collaborative work of the Commission. Annual achievement is the collective of quarterly achievements. The report must be submitted to Commission Meeting/EXCO within the month following the end of the immediately preceding quarter. For example, the Quarterly Report for Conditions imposed in Q1 (April – June in FYx), must be submitted before the end of July in FYx.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> Advocacy

30. Collaboration across government to expand participation in digital markets.	
Definition	<ul style="list-style-type: none"> • The Commission is proactive in collaborating with other dtic agencies, the dtic and other government departments and agencies in order to contribute into achieving key government priorities. • The indicator refers reporting on collaborative research conducted with the dtic and/or its agencies to contribute to reducing red tape, red tape, deal with market access, access to upstream inputs, pricing of critical inputs and levels of concentration in the economy.
Source of data	<ul style="list-style-type: none"> • ERB
Method of calculation/Assessment	<ul style="list-style-type: none"> • Achievement of this target is denoted by a report to the Commission Meeting/EXCO reporting on collaborative work of the Commission. • Annual achievement is the collective of quarterly achievements.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> • ERB

31. International collaboration to address competition related cross border trade issues.	
Definition	<ul style="list-style-type: none"> The Commission is proactive in collaborating with regional and international competition agencies and institutions to ensure best practice and tackle joint competition issues, including building regional and continental agency capacity. The indicator refers reporting on collaborative work conducted with regional and international competition agencies and institutions.
Source of data	<ul style="list-style-type: none"> ERB & OTC
Method of calculation/Assessment	<ul style="list-style-type: none"> Achievement of this target is denoted by a report to the Commission Meeting/EXCO reporting on collaborative work of the Commission. Annual achievement is the collective of quarterly achievements.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> ERB & OTC

32. Average number of working days it takes to pay supplier invoices.	
Definition	<ul style="list-style-type: none"> The indicator refers to the number of working days it takes the Commission to pay its suppliers, as guided by National Treasury.
Source of data	<ul style="list-style-type: none"> Invoice tracker
Method of calculation/Assessment	<ul style="list-style-type: none"> The indicator will be calculated as the actual average working days taken for payments made to service providers. Of the payments made in the quarter/year, what was the average of working days taken to pay?" If average is less than or equal to 20 days, the target will be met. If the average is more than 20 days, the target will not be met.

	<ul style="list-style-type: none"> • Calculation of the number of working days only starts when all the relevant and valid information required by the Commission has been submitted to the central invoice email address. • The measure will be valid invoice and statement sent to the central email address. • Achievement of this target is denoted by the report submitted to the Commission/EXCO meeting.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • The target is met if the outcome is less than or equal to the target days.
Indicator responsibility	<ul style="list-style-type: none"> • Finance

33. Unqualified Audit	
Definition	<ul style="list-style-type: none"> • The target refers to audit opinion where all areas are unqualified, with no material reportable matters.
Source of data	<ul style="list-style-type: none"> • Finance, OTC and all divisions of the Commission.
Method of calculation/Assessment	<ul style="list-style-type: none"> • The achievement of this indicator is denoted by a unqualified audit opinion from the Auditor General Report regarding the financial period under review.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> • Finance & OTC

34. Contribution to Transformation.	
Definition	<ul style="list-style-type: none"> The indicator refers to the Commission achieving a Level 3 B-BBEE compliant through an accredited verification process. Compliance is demonstrated through successful verification against B-BBEE codes, including ownership, management control, skills development, preferential procurement, enterprise/supplier development and socio-economic development elements.
Source of data	<ul style="list-style-type: none"> Finance, OTC & CSD
Method of calculation/Assessment	<ul style="list-style-type: none"> The B-BBEE verification certificate reflect compliance of the previous financial year. The audit outcome must be reported to the B-BBEE Commission by the end of the financial year. The B-BBEE verification audit outcome must be reported to the Auditor General and included in the approved Commission Annual Report after the external audit is concluded. Achievement of this target is denoted by receiving of a compliant B-BBEE certificate from the accredited verification authority and incorporation of the B-BBEE audit outcome in the approved Commission annual audit report tabled at the Commission or EXCO meeting.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> Finance, CSD & OTC

35. No. of programmes on occupational health and security awareness in line with relevant legislation and OHS standards.	
Definition	<ul style="list-style-type: none"> • Anticipation, recognition, evaluation, and control of hazard’s arising in the Commission offices that could impair the health and wellbeing of our employees and visitors. The Commission has an annual OHS compliance plan which denotes quarterly compliance plan (internal & legislated). • The indicator refers to the Commission’s efforts and activities to comply with the OHS, including, but not limited to outreach, occupational and security drills, security and occupational compliance checks.
Source of data	<ul style="list-style-type: none"> • CSD
Method of calculation/Assessment	<ul style="list-style-type: none"> • Achievement of this target is denoted by the report on instances of compliance with the OHS Act and the internal OHS compliance plan for the Commission/EXCO. • A quarterly report on progress against legislation and/or the OHS Compliance Plan.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> • Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> • Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> • CSD

36. No. of digitalised key processes of the Commission.	
Definition	<ul style="list-style-type: none"> • The Commission aims to enhance its efficiency and capability by enhancing its processes to improve the overall organisation performance and stakeholder experience. • Digitalisation refers to improvement of the Commission’s internal and external process including communication with stakeholders, on merger filing and complaint filing.
Source of data	<ul style="list-style-type: none"> • ICT Strategy
Method of calculation/Assessment	<ul style="list-style-type: none"> • The achievement of this indicator is denoted by a completed digitised process going live and a report presented to EXCO or Commission Meeting in the applicable quarters.

Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> CSD

37. % of HR spend on learning and development.

Definition	<ul style="list-style-type: none"> The Commission aims to spend overall 1% of its salary's costs on learning and development initiatives by per annum (31 March 2027).
Source of data	<ul style="list-style-type: none"> Learning development database and salary budget
Method of calculation/Assessment	<ul style="list-style-type: none"> The indicator will be reported to EXCO on a quarterly basis and the cumulative total will be reported at the end of the financial year. The reason for not setting a quarterly target is because learning and development is cyclical. Achievement of the target is denoted by spending 1% of salary cost measured at the end of the financial year.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Annually
Desired Performance	<ul style="list-style-type: none"> Actual performance meets targeted performance.
Indicator responsibility	<ul style="list-style-type: none"> CSD

38. % retention rate of staff complement.

Definition	<ul style="list-style-type: none"> The Commission is instituting programs to maintain high staff-retention levels. The Commission seeks to ensure sustainable delivery and impact by retaining its employees. The indicator refers to a % of staff retained by the Commission in the relevant period.
Source of data	<ul style="list-style-type: none"> Staff complement data
Method of calculation/Assessment	<ul style="list-style-type: none"> The baseline from which this indicator is measured is the total staff complement at the beginning of the quarter. The indicator excludes graduate trainees.

	<ul style="list-style-type: none"> Quarterly performance is measured as follows: <ul style="list-style-type: none"> Baseline (i.e., staff complement as beginning of quarter) minus number of staff who have left in the quarter divided by baseline multiply by 100. Annual performance is measured as the average of the four quarters (i.e. (Q1+Q2+Q3+Q4) / 400 x 100.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Quarterly and Annually
Desired Performance	<ul style="list-style-type: none"> The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> CSD

39. % of staff reached through training initiatives.	
Definition	<ul style="list-style-type: none"> The KPI measures the percentage of staff, out of the total staff complement, trained over the year.
Source of data	<ul style="list-style-type: none"> Attendance registers & other evidence of attendance
Method of calculation/Assessment	<ul style="list-style-type: none"> The indicator is calculated as a total number of employees who have attended training offered through or in collaboration with the OTC. The achievement of the target is measured as follows: total staff trained / total staff complement as at end of Q4 x 100. The achievement of the target is denoted by a final report at EXCO in Q4 reporting on training attendance over the year, in relation to the target set. Evidence includes attendance registers signed by each employee who attended the training or electronic evidence of attendance in case of virtual training.
Assumptions	N/A
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting cycle	<ul style="list-style-type: none"> Annually
Desired Performance	<ul style="list-style-type: none"> The indicator denotes percentage of achievement greater than, or equal to the target.
Indicator responsibility	<ul style="list-style-type: none"> CSD & OTC



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